**Maat for Peace’ submission on the institutional arrangements of countries that enable minority rights to flourish**

**Submitted to:** Special Rapporteur on minority issues

**Submitted by:** Maat for Peace, Development and Human Rights (holds consultative status with the United Nations Economic and Social Council).

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**Introduction**

Highly confident estimates indicate that between 10 and 20 % of the world's population belong to minorities. Minority groups are often the poorest in countries and the most in need[[1]](#footnote-1). Additionally, Basic human rights treaties such as the two International Covenants; the Convention on the Elimination of All Forms of Racial Discrimination; and the Convention on the Rights of the Child; as well as the 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, guarantee members of national, religious, ethnic and linguistic minority groups have the right to effective participation in cultural, religious, social, economic and public life and in various decisions regarding the minority to which they belong or the areas in which they live at the national and regional levels. However, Maat noted that the effective participation of minorities in political and public life remains a thorny and complex problem and a growing source of concern in many countries around the world. In this regard, Maat found that the effective participation of minorities in political and public life still poses a complex and problematic issue and a source of growing concern in many countries worldwide. In this regard, Maat found that the interests of minority groups are not adequately taken into account in many countries around the world, and they face systemic, structural, and institutional challenges that hinder their full integration into society, and hamper their ability to achieve equality and effective social, economic, and political participation, including challenges related to the exacerbation of government discrimination practices against individuals belonging to minority groups in obtaining public services. As well as their exclusion from effective and meaningful participation in decision-making processes, their lack of political representation in various public positions, their inability to access economic resources, agricultural lands, economic and educational opportunities, deprivation of employment, and exclusion from accessing basic services such as housing and healthcare.

In light of the above, Maat for Peace, Development and Human Rights submits this report to the Special Rapporteur on minority issues on the institutional arrangements of states that enable minority rights to flourish to assist the Rapporteur in the report he will submit to the General Assembly. This report is focused on addressing the key issues outlined by the special rapporteur.

**Key questions**

**Do you consider the interests of persons belonging to minority groups appropriately taken into account in your country? If yes, how? If no, why? (Question 1)**

Maat believes that the interests of persons belonging to minorities are not adequately taken into account in a wide number of UN Member States. In this regard, Maat notes that persons belonging to minority groups are subjected to governmental discrimination in accessing public services, and are excluded from effective participation. They suffer from weak political representation in various public positions and face extreme difficulties in accessing economic resources, agricultural land, and economic and educational opportunities. They are denied access to work and are excluded from obtaining housing and health care services. In Ethiopia, for example, Maat found that individuals from minority groups are less likely to enroll in school and complete their education than other populations. For example, 75.3 % of women and girls in the Somali region of Ethiopia were not enrolled in any educational activities, and 46.7 % of females in Bani Shankul were not enrolled in any suitable education. On the other hand, the dropout rate among females decreased significantly in the Addis Ababa region and other urban areas inhabited by majority groups until it reached less than 8.6 %. Mortality rates among children also increased in areas where minorities are concentrated in Ethiopia, despite their decline at that level. In the Afar region, for example, the death rate among children is 125 per 1,000 live births, as a result of the lack of vaccines and child care services[[2]](#footnote-2).

In Germany, Maat found that belonging to national minority groups are inadequately represented at all levels of decision-making. For example, there is only one representative in the Bundestag (the German Federal Parliament) for the four recognized national minorities in Germany, indicating a lack of representation of national minorities in Germany in political life[[3]](#footnote-3). Additionally, the Roma and Sinti still face racial bias in various areas of public life in Germany. According to reliable local reports reviewed by Maat, around 372 cases of racial discrimination against individuals belonging to Sinti and Roma minorities in Germany were recorded between 2021 and 2022[[4]](#footnote-4). Furthermore, children of individuals belonging to national minority groups in Germany do not receive adequate education about their culture, history, language, and contribution to German society. According to testimonies obtained by Maat, children in the North Frisia region learn very little about Frisian culture, history, and language. Information related to the Frisians is only available to an extremely limited extent in the primary school curricula in Schleswig-Holstein and is not addressed in secondary schools[[5]](#footnote-5).

In France, individuals belonging to minority groups are also underrepresented at all levels of decision-making. For example, reliable reports reviewed by Maat indicated a decrease in the representation of minorities in the National Assembly in France, where the percentage of individuals belonging to minority groups in France is less than 6 percent of the members of the French National Assembly[[6]](#footnote-6). The French authorities continue to violate the rights of individuals belonging to the Roma minority in housing by dismantling the temporary homes and camps they inhabit without providing alternatives. For example, between November 2020 and the end of October 2021, the French authorities evacuated about 1330 temporary homes of Roma individuals without providing them with alternative housing to preserve their human dignity[[7]](#footnote-7).

In the Czech Republic, the strategy to combat social exclusion estimates that between 80 to 100 thousand people live in a state of social exclusion, including about 600 unplanned and socially marginalized areas, resulting in an inadequate standard of living and a lack of access to social and public services. According to a report by the European Union Agency for Fundamental Rights, 42% of the Roma live in polluted residential areas with smoke, car emissions, or dust. In a similar context, these individuals face the risk of forced eviction, as said by a number of residents of this minority who live in what are known as Finnish houses in the Hrrosov neighborhood, which are houses owned by a German real estate company, which is the largest grantor of residential rentals in the Czech Republic. Maat estimates that the Czech government did not face discrimination against Roma in the field of housing, as reports indicate 458 cases of discrimination against Roma who found vacant apartments, yet faced high rents or the unwillingness of property owners to rent apartments to members of this minority[[8]](#footnote-8).

**Are there institutional arrangements that guarantee (or facilitate) effective political representation of persons belonging to minorities? For example, a Second Chamber in Parliament, the federal structure of the State, specific “minority institution” (such as a Council of Minorities or a dedicated Ombudsperson, or electoral mechanisms (quotas, separate lists for minorities). (Question 2)**

Maat noted the weakness of the institutional arrangements that ensure the effective political representation of individuals belonging to minority groups in the countries of Maat’s works and interests. In this regard, Maat noticed the absence of specific quotas or separate lists for minority groups in the national parliaments of Germany, the United Kingdom, and France, where these countries do not allocate a certain percentage in their national parliaments for individuals belonging to minority groups, which has led to a decrease in the representation of individuals belonging to minority groups in the national parliaments of these countries. For example, in Germany, there is only one representative in the Bundestag (the German federal parliament) for the four recognized national minorities in Germany, indicating the weak representation of national minorities in Germany in political life[[9]](#footnote-9).

Despite some of these countries having institutions concerned with minorities aimed at promoting the interests of individuals belonging to minority groups, Maat has noticed a weakness in the role of these institutions in ensuring effective political representation of minority individuals. For example, in Germany, despite the existence of the Council of Minorities, which includes representatives of recognized national minorities (Danes, Frisians, Sorbs, Sinti, and Roma) to discuss common challenges and defend their rights, Maat has observed a weakness in the role of this council in promoting the interests of minorities and ensuring their effective political representation in Germany[[10]](#footnote-10).

In Israel, there is no political representation for the Negev Bedouins, and they do not participate in local governance bodies. Moreover, there are wide restrictions on their participation in municipal elections, leading to a lack of access to civil and political rights for the Negev Bedouins, resulting in severe suffering for this group[[11]](#footnote-11). Maat hopes that the Special Rapporteur will focus on the clear deficiency of the Negev Bedouins in the political life in Israel.

**Are there minority issues insulated from (or not subject to) State authorities’ decisions (including the Parliament)? (For example, constitutional guarantee; political/traditional agreement; competence on minority issues at a regional level, where the persons belonging to a minority represent the majority of the population). (Question 3)**

Yes, Maat noted that some issues related to minorities in member states are protected to a large degree and are not subject to the decisions of state authorities such as Parliament, as a result of the existence of some constitutional guarantees or political agreements that may protect the rights of minorities from the control of central authorities. **The following are specific examples of these cases:**

* **Constitutional guarantees:** Constitutional provisions play a crucial role in protecting the rights of minorities from arbitrary intervention by state authorities, especially the legislative authority represented in the parliament. When the constitution explicitly guarantees certain rights to minorities, these rights are highly protected from the ordinary legislative amendments made by national parliaments. For example, the Indian constitution protects the cultural and educational rights of minorities, granting them the right to establish and manage educational institutions of their choice under Article 30. As a result of this constitutional provision, the cultural and educational rights of minorities have become highly protected from the control of state authorities, especially the parliament, and minority educational institutions enjoy independence and protection from arbitrary decisions by state authorities[[12]](#footnote-12).
* **Political agreements:** Some political agreements or traditional arrangements in place in some countries protect the rights of minorities from the control of state authorities. In Northern Ireland, for example, the 1998 Good Friday Agreement (Belfast Agreement to end decades of conflict in Northern Ireland), includes provisions relating to the rights of Minorities, especially the Catholic minority, including the right to equality, non-discrimination, power-sharing, and cooperation between communities. These arrangements and provisions are isolated from political decisions and are not subject to the control of state authorities in Ireland[[13]](#footnote-13).

**Are there legal, administrative or other barriers that prevent persons belonging to minorities to participate effectively in cultural, religious, social, economic or public life? (Question 5)**

Yes, Maat noted the existence of some legal and administrative obstacles in some countries where it works and is concerned, which prevent people belonging to minority groups from participating effectively in cultural, religious, social, economic, or public life. For example, in Qatar, religious minority groups face legal and administrative obstacles that hinder their ability to participate in religious, cultural, economic, and public life. In this regard, Maat noted that the Qatari constitution and law included some provisions and texts that hinder the ability of people belonging to religious minorities to participate in political and public life, as the Qatari constitution stipulates that Islam is the religion of the state and Islamic Sharia is the main source of legislation. Whoever holds the position of Emir - the head of state - is required to be a Muslim. These provisions have deprived individuals belonging to religious minority groups of the right to assume senior leadership positions in the state, including the position of Emir[[14]](#footnote-14).

In Qatar, the law restricts public worship for religious minorities, prohibits non-Muslims from openly practicing their religion, bans the provision of official religious education to non-Muslims in public schools, prohibits religious minorities from publicly announcing religious services or displaying religious symbols such as crosses outdoors where they are visible to the public. Qatari law criminalizes proselytizing any religion other than Islam in all its forms, whether done within organized group activities or individually, stipulating a penalty of up to 10 years for involvement in organized proselytizing activities, and 7 years for engaging in individual proselytizing activities. The law imposes a penalty of two years in prison and a fine of up to $2,700 for possessing written or recorded materials that support or promote proselytizing activities or encourage them. The law also requires religious groups to obtain permission from the authorities to practice religious activities and mandates the deportation of members of religious groups engaging in illegal worship activities or those practiced without permission from the authorities[[15]](#footnote-15).

Individuals belonging to religious minority communities in Qatar face administrative and social obstacles that limit their effective participation in economic and public life. They encounter systematic discrimination in the employment process, are subjected to exploitation and mistreatment in private-sector jobs, face widespread restrictions in public-sector employment, and are deprived of holding leadership positions, including university presidencies and ministerial portfolios. They are also prohibited from working in sensitive positions related to national security, such as security agencies and the education sector, despite their long-standing work in the medical, banking, engineering, sports, entrepreneurship, oil and gas, crafts, health, safety, and arts sectors[[16]](#footnote-16). In Israel, the Citizenship and Entry into Israel Law adopted in March 2022 by the Knesset is among the discriminatory legislations, imposing numerous restrictions on family reunification for Palestinian residents with their spouses residing in the occupied Palestinian territories, aiming to preserve the Jewish component's sovereignty in Israel.

1. World Directory of Minorities, Minority Rights Group, <https://minorityrights.org/resources/world-directory-of-minorities/> [↑](#footnote-ref-1)
2. Access to education and health among minorities and indigenous peoples in Ethiopia, February 2022, link: <https://tinyl.io/AjEZ> [↑](#footnote-ref-2)
3. How the Bundestag represents Germany's minorities, DW, December 2, 2022, link: <https://tinyl.io/AjEf> [↑](#footnote-ref-3)
4. Germany: Discrimination against Roma and Sinti on the rise , DW, March 30, 2023, link: <https://tinyl.io/AjF1> [↑](#footnote-ref-4)
5. Germany: Improve education about national minorities and support for Sinti and Roma, says Council of Europe committee, COUNCIL OF EUROPE, 14 JUNE 2022, link: <https://tinyl.io/AjF5> [↑](#footnote-ref-5)
6. National Assembly gradually reflects ‘diversity of the French street’, france24, June 25, 2022, link: <https://tinyl.io/AjFC> [↑](#footnote-ref-6)
7. 2022 Country Reports on Human Rights Practices: France, U.S. Department of State, March 2023, link: <https://tinyl.io/AjFA> [↑](#footnote-ref-7)
8. Page 25, <https://bit.ly/3kg8uFY> [↑](#footnote-ref-8)
9. How the Bundestag represents Germany's minorities, DW, December 2, 2022, link: <https://tinyl.io/AjEf> [↑](#footnote-ref-9)
10. MINORITY COUNCIL, minderheitensekretariat, link: <https://tinyl.io/AjG6> [↑](#footnote-ref-10)
11. The Arab Bedouin indigenous people of the Negev/Nagab – A Short Background, <https://www.ohchr.org/sites/default/files/Documents/Issues/Housing/IndigenousPeoples/CSO/National_Coexistance_Forum_for_Civil_Equality.pdf> [↑](#footnote-ref-11)
12. Right of minorities to establish and administer educational institutions, Article 30, Constitution of India 1950, link: <https://tinyl.io/AjKZ> [↑](#footnote-ref-12)
13. As it turns 25, N Ireland’s Good Friday Agreement explained, Ap news, April 17, 2023, link: <https://tinyl.io/AjKh> [↑](#footnote-ref-13)
14. In the Spotlight: Minority Rights in Qatar, Maat for Peace, Development and Human Rights, May 8, 2023, link: <https://tinyl.io/AjKo> [↑](#footnote-ref-14)
15. Ibid [↑](#footnote-ref-15)
16. Ibid [↑](#footnote-ref-16)