

Unrepresented Nations & Peoples Organization
49-51 rue de Trèves
1000 Brussels,
Belgium
unpo@unpo.org

FOR THE ATTENTION OF:

Prof. Nicolas Levrat,
Special Rapporteur on minority issues
Office of the High Commissioner for Human Rights
Palais des Nations
CH-1211 Geneva 10
Switzerland
hrc-sr-minorityissues@un.org

May 2024

VIA ELECTRONIC MAIL

Re: UNPO Input Submission to Inform the Preparation of the 2024 Report of the Special Rapporteur on Minority Issues.

The Unrepresented Nations and Peoples Organization (UNPO) is an international membership-based organization established to empower the voices of unrepresented and marginalized peoples worldwide and to protect their rights to self-determination. Representing nearly three hundred million people without true representation on domestic or international stages, UNPO addresses cross-country issues and common challenges through non-violent means. Our members include cultural and/or ethnic minorities and indigenous communities from across the globe and we are submitting the answers to the Special Rapporteur's call for input, provided below, on their behalf.

Please note, as we are not making this submission on behalf of any one specific UNPO member, we have answered the questions provided in terms of the overall experiences of the minority communities we work with.

Special Rapporteur Questions:

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

UNPO members come from all corners of the world, representing groups and peoples with distinct cultures, histories, and languages. Despite the incomparable value of such diversity within any one State, our members are often faced with inadequate resources, discrimination, and exclusion from national and international forums that would allow them to represent themselves and their interests.

Globally, indigenous and minoritised communities, such as the [Batwa of Rwanda](#), [the Haratin of Mauritania](#), the [Tibetans in China](#), or the [Ogaden of Ethiopia](#), continue to be the targets of injustice. At the international level, a campaign is underway by authoritarian states to further restrict the participation of minority communities and indigenous groups at the United Nations, and there appears to be a trend to move

away from the protection of indigenous and minority rights in bilateral human rights dialogues and peacekeeping efforts. Even States that agreed to the [Outcome Document](#) of the UN World Conference on Indigenous Peoples in September 2014 have done very little to implement its provisions.

Through our work with our members over the years, the UNPO has noted a trend of specific interests and rights being undermined when it comes to minorities. A prominent example relates to the issue of **language rights** and **access to minority language education**. The sometimes intentional and sometimes accidental, prevention by States of minority communities from accessing minority language education and forums where they can learn, practice, and pass down their language has a detrimental effect on the preservation of their culture and sense of safety and acceptance by the wider society that surrounds them. In its extreme, this exclusion takes the form of active intimidation and persecution; with any attempt by minorities to maintain their language and teach it being criminalised as radical or terrorist activity threatening national security. Our [Iranian Kurdish member](#) for example, reports intense intimidation tactics by Iranian authorities to prevent the teaching and spread of the Kurdish language with several members of the community being imprisoned, tortured, and tried, simply for trying to create space for Kurdish language, culture, and values to exist and survive.

Other areas where the rights of minorities and indigenous communities are systematically ignored or repressed relate to their **participation and inclusion in a country's politics and public affairs; visibility of the specific needs and added vulnerability of certain demographics within minority groups** or peoples, such as women, persons with disabilities or life-long health conditions, or young children; and **land-related discrimination** including deprivation of land rights, forced land grabbing, and pushing minorities to live in what are often resource- and infrastructure-deprived areas.

This overall failure to take minority rights and interests into account and the subsequent exclusion of minorities from effective representation at the international and national levels –intentionally or not– threaten the existence of entire groups, their identity and culture.

Importantly, major international institutions are still failing to effectively promote respect for minority rights in a binding way. For example, still today, the EU has no binding instrument specifically aimed at the protection of minorities. Instead, it uses non-specific provisions such as the principle of non-discrimination and often refers to non-binding instruments developed by the United Nations, the Council of Europe, and the OSCE, without however having any power to enforce those when ignored or violated by its Member States.

2. 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)).

N/A

3. 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).

N/A

4. Are there institutional arrangements and/or political practices that de facto exclude persons belonging to minorities from effective participation in decisions at the national – and, where appropriate, regional level – concerning the minority to which they belong?

In several of the countries on which UNPO’s work focuses, we have noted that more authoritarian states often blatantly implement policies that de facto exclude minorities from effective participation in decisions at the national and regional levels. More democratic states too will sometimes impose rules that prima facie seem democratic or reasonable, yet at their core also end up discriminating against minority groups and indigenous communities.

An important such institutional practice that excludes persons belonging to minorities from their country’s political affairs, is the policy of ‘disenfranchisement’. Put simply, disenfranchisement is “the action of taking away the right to vote from a person or group” resulting in a lack of political representation either at the national or international levels. Lack of such representation can also be caused by economic, legal or political disenfranchisement, whereby indigenous peoples do not have meaningful access to institutions of governance. These issues, and self-determination more broadly, are closely related to sustainable development goals including SDG 16. In fact, UNPO members continue to face significant disenfranchisement at all levels of governance.¹

Indicative country-specific examples based on our members’ experiences:

Iran: In Iran, five of our members suffer different levels of persecution and discrimination due to Tehran’s institutionalized policies that perpetuate the dominance of Persians in political life.² The 1% of the population belonging to recognized non-Muslim religious minorities are second-class citizens, and non-recognized religious minorities are afforded no constitutional rights. The 10% of the Iranian population that is Sunni Muslim rather than Shi’a is largely non-Persian. As a consequence, any attempt to increase minority representation is considered a secessionist practice. Given how restrictive the granting of permits to form a political party is, effective representation of minorities within the government is non-existent in practice.

USA: In the United States, segregation and disenfranchisement of minorities and indigenous communities have been a distinct feature of the country’s history. Today, a variety of means perpetuate this practice, such as gerrymandering, exclusionary voting ID requirements, and laws that directly disenfranchise certain categories of voters, primarily minorities and vulnerable communities. The longstanding disenfranchisement of the populations in the [District of Columbia](#) and the US Territories, for example, is another mechanism through which minority and indigenous people are being systemically denied their right to vote on an equal footing in the USA; a persistent failure to deal with the legacy of colonialism and slavery in the USA.

¹ UNPO’s submission on Self-Determination under the UN Declaration on the Rights of Indigenous Peoples to OHCHR’s Expert Mechanism on the rights of indigenous peoples, available [here](#).

² UNPO Joint UPR Submission prior to 34th Session, available [here](#).

It is important to note that on an international level too, the exclusion or underrepresentation of minorities results in decisions made without their input or participation, which nevertheless will end up affecting them directly or indirectly. For example, a law passed at an international institution such as the European Parliament that concerns food supply chains, through its impact on inflation, farming practices, and individual Member State responses, may end up disadvantaging specific minorities across the EU by affecting their access to food and their immediate environment if they inhabit a more rural or remote area.

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

Expanding on the issue of disenfranchisement raised above, legal and administrative structures often exclude directly or indirectly persons belonging to minorities. Additionally, when it comes to the issue of language, access to minority languages and policies relating to their inclusion in mainstream educational institutions in any one State are often weaponised to exclude persons belonging to minorities. This all links to the lack of representation of minorities or indigenous communities in political, legal, and financial affairs. They have not been part of the decision-making processes of the States that surround them (or came to surround them following colonialist and post-colonialist geopolitical changes) and thus their interests or specific circumstances were not taken into account from as early as the first dates of any one State's establishment. For example, when decisions are being made about building schools in a country or when a country's financial centre starts developing, such advancements often fail to account for a possible lack of access to, say, public transport or commuting options for members of minority communities, thus already kickstarting a process of marginalising them.

Indicative country-specific examples based on our members' experiences:

Cameroon: Since the unification of the Anglophone and Francophone regions of Cameroon, the [Anglophone Cameroonians](#) have been increasingly marginalised in public spaces. They enjoy little political representation and the most important political positions are reserved for Francophone Cameroonians. As such, the Anglophones are forced to learn French as a means of survival, career advancement, and acceptance by a political and socio-cultural system that perceives and treats them as second-class citizens.

People's Republic of China (PRC): There have been concerning efforts by the PRC to remove the Mongolian language as the primary language of instruction in schools in the [Inner Mongolia Autonomous Region](#).³ For many years, the ethnic Mongolian population have suffered from repeated efforts to eradicate their culture and identity, including population transfers, central government erosion of autonomy and minority rights guaranteed under the Constitution and laws of the PRC, as well as efforts to undermine the use of Mongolian language in the professional sphere and in day-to-day life.

Vietnam: In Vietnam, the indigenous [Khmer-Krom](#) community lack access to government institutions, economic livelihood, and their own cultural institutions. These interrelated challenges emanate from government policies which prevent free religious and cultural association, make access to civil service jobs increasingly difficult, expose peaceful protesters to arbitrary detention, deny access to historical farmlands,

³ Southern Mongolia: UNPO, SMHRIC File Letter of Allegation with the UN Special Procedures, available [here](#).

fail to promote education in the community's native language, and fail to address climate change concerns impacting the Khmer-Krom way of life.

6. What are the benefits and/or challenges of recognizing and granting sectoral (for example, concerning sectors like education) or territorial autonomy to minorities?

There is a number of benefits associated with recognizing and granting autonomy to minority communities in several sectors. Autonomy over their own educational policies –when accompanied by meaningful support from State authorities and the government to help realise those– can support the **cultural preservation of a people**. This in turn, can support minorities in feeling more accepted, seen, and recognized and as a result, will improve **overall social cohesion and peace**. Autonomy over political representation and participation will increase the visibility of minority issues and restore control to those communities, allowing them to determine their political development and shape how they, as a community, and their representatives interact with the majority culture. **Improved political participation** has the potential to increase social and political equality. Importantly, allowing minority or indigenous communities a degree of autonomy or decision-making independence and shaping policies that affect them directly, also has the benefit of **conflict prevention** by reducing the inequality between majority and minority groups; but also, by offering minorities “a way out”, that is the power and resources to govern their future, instead of keeping them in a desperate cycle of oppression, invisibility, and disenfranchisement. Finally, sectoral autonomy when it comes to **economic development** can empower minority groups to manage their own economic resources, develop their local economies, and address socio-economic disparities within their communities.

As an indicative example, please consider the return of ancestral lands to the [Mapuche](#)⁴ Community of Chavol No.2 in July 2011. They received more than 200 hectares (approximately 500 acres) of land near the city of Victoria, Chile. The community had filed a claim for the lands in 2003. After eight years, land titles were finally given to the community, which included deeds to farmland and a dairy. The land is now eligible for a number of development and technical assistance programs, which will support the economic development and strengthening of the community.

Thank you for accepting our submission. We hope these inputs inform the Special Rapporteur's work in promoting and safeguarding minority rights. Should you require any additional information or clarification, please do not hesitate to contact us on policy-assistant@unpo.org and/or legal@unpo.org.

Yours sincerely,



Mercè Monje Cano
Secretary General
Unrepresented Nations & Peoples Organization

⁴ A UNPO member since 2016.