



International Foundation for Electoral Systems
Submission in response to
United Nations Special Rapporteur on Minority Issues
Call for Submissions by 31 May 2020

The International Foundation for Electoral Systems welcomes the efforts of the United Nations Special Rapporteur on Minority Issues in collecting perspectives concerning the United Nations (UN), State and civil society's understanding of the significance and scope of the four categories of minorities (national or ethnic, religious and linguistic) in UN instruments. In this submission, IFES respectfully provides comments drawn from on our global experience promoting the political rights of minorities in our work that has spanned over 146 countries over the past three decades.

With its mission "Together we build democracies that deliver for all", and as a global leader in democracy promotion, IFES advances good governance and democratic rights by providing technical assistance to election officials, empowering the underrepresented to participate in the political process, applying field-based research to improve the electoral cycle.

IFES' approach is anchored in the **Universal Declaration of Human Rights (UDHR)** which states every person has a right to take part in the government of their country,¹ and the **International Covenant on Civil and Political Rights (ICCPR)** which stipulates that every citizen has the right to take part in public affairs and "to vote and to be elected at genuine periodic elections" and further specifies that persons belonging to ethnic, religious, or linguistic minorities within a state cannot be denied the right to "enjoy their own culture, to profess and practice their own religion, or to use their own language."²

Q 2. Please identify your understanding of the scope of rights of persons belonging to minorities from the four categories of beneficiaries under UN instruments, and particularly the scope and nature of rights each category can claim.

Inclusive and representative democracies should provide for the full and active participation of all of their citizens irrespective of national or ethnic, religious or linguistic identities. The rights of national or ethnic, religious and linguistic minorities (hereinafter referred to as 'minorities'), in particular, need to be guaranteed by the state, as they are groups most often under threat.

The discrimination faced by minorities limits their ability to exercise both their universal human rights and constitutionally-guaranteed rights, particularly political rights. Discrimination also inhibits minorities' ability to affect decision-making processes and reinforces a perpetual cycle of repression, fear and isolation, with the groups themselves sometimes self-censoring in order to avoid the ire of majoritarian political forces. This repression cements second-class citizen status for minorities and degrades the formation of a national identity consciousness inclusive of all groups, thereby weakening democracy and the potential for a shared identity. Additionally, many minorities have disproportionately experienced the effects of conflict, civil war and violence. The impact of peace agreements and processes not rooted in justice, while halting physical violence in the short-run, can compound discrimination over the long-term.

¹ Universal Declaration of Human Rights, Article 21 <http://www.un.org/en/universal-declaration-human-rights/>

² International Covenant on Civil and Political Rights, Article 25 and Article 27
<http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

The ultimate goal is the attainment of equal rights of minorities irrespective of identity, which is demonstrated by the ability of minority representatives to be vote freely and safely in election, elected to office, join/form political parties or organizations that represent their interests, as well as serve on electoral institutions, civil society, media and security sector. Political participation and access to decision making is especially critical to ensure that minority groups are able to freely and without fear, practice their religion and customs, speak their own languages, and benefit from equal economic and educational opportunities.

To promote and protect the right of minorities to participate in electoral and political processes it is important to:

- design electoral systems that are conducive to diverse representation in elected bodies and electoral and related legislative drafting processes that include meaningful minority participation informed by international and regional human rights instruments and good practices;
- promote pluralism, co-existence, and awareness through a variety of activities, including education on the equal rights of minorities and targeted advice on messaging, content and methodology to providers of voter and civic education programs;
- build understanding of all stakeholders and their capacity to promote minority rights in the electoral and political process;
- consider how technology, if assumed to be neutral or benign, could unintentionally perpetuate systemic and institutional oppression of minorities and instead use technology as tool to alleviate historic barriers to political participation and equality that minorities face and
- provide targeted leadership and professional development opportunities for minority stakeholders including those that might be further marginalized within minority groups based on gender, disability, age, literacy, poverty, digital divide or other factors.

Q5. Please provide (legal and non-legal) examples of good practices in the protection of the rights of persons belonging to minorities from these four categories of beneficiaries. Are these practices different for each category?

IFES partners with state institutions, civil society, academia, and minority community representatives and organizations to build partnerships that aim to increase knowledge of rights, capacity to advocate and opportunities for leadership development both within the minority groups as well as broader state and private institutions and the public. We offer the following good practices in the protection of the rights of persons belonging to minorities from the four above-identified categories:

- Advocacy and leadership training:** Many members of minority groups are marginalized and excluded from political processes. They often lack the skills and opportunities to effectively advocate on behalf of their communities' concerns. IFES works with members of minority groups to develop their leadership skills, increase their knowledge of their human rights, legal rights, and government processes and equip them with skills such as public speaking and coalition-building to serve as advocates for their communities. Following trainings and leadership camps/workshops, IFES often provides participants with opportunities to practice their newly-obtained skills. For example, IFES helps participants find internships with government institutions and facilitates meetings between participants and government representatives.

In India, IFES' flagship Muslim Women's Initiative (MWI), implemented with civil society partners in, promoted the empowerment of Muslim women [triple marginalized because of their religion, gender and over 80% living in poverty] as active agents in developing their own communities,

arresting the negative cycle of their marginalization and promoting their social, economic and political participation. Throughout the program, leadership development for Muslim women provided individuals with the knowledge, resources and support to take a lead role in generating sustainable change and advocating for women's rights to education, decision-making, dignity, economic independence and political participation. More information on this can be accessed at: www.ifes.org/mwi.

- ii. **Civic and voter education campaigns targeting minority groups:** In many countries, minority groups lack adequate information about political and electoral processes, legal rights, and the importance of engagement in public life. IFES develops civic and voter education materials — such public service announcements, radio and television programs, leaflets, posters and training manuals — that meet the specific needs of these groups. IFES then conducts campaigns to disseminate these materials, often in conjunction with the government or civil society organizations including minority organizations. Campaign outreach activities can include public information meetings, public debates, election simulations, trainings and workshops, in-person visits, street theater, and public service announcements through local media outlets. IFES has also developed civic and voter education curriculums to teach or distribute in universities, schools, *madrasas* (centers of religious learning), and youth councils in order to build a broader understanding of the importance of inclusion.

In Myanmar, IFES collaborated with local partners the Mandalay Regional Youth Network (MRYN), Hornbill Organization, Myanmar Network Organization for Free and Fair Elections (MYNFREL) and Union Election Commission (UEC) to bring together a diverse cross-section of participants, including young women, youth with disabilities, young ethnic minorities, youth residing in rural areas and LGBTQ youth. In line with this year's global theme of "Transforming Education," the event kicked off IFES' national civic and voter education program, which engages voters from across Myanmar to take part in the electoral process ahead of the pivotal 2020 elections. More information can be accessed at: www.ifes.org/news/celebrating-international-youth-day-2019-myanmar.

- iii. **Capacity building of local minority organizations and activists for grassroots and governmental outreach:** IFES supports local organizations led by religious and ethnic minorities to improve outreach to their communities, including community leaders and other stakeholders. IFES has trained members of civil society organizations (CSOs) to conduct trainings on issues relevant to marginalized communities and supported development of training materials. IFES also helps local minority-run organizations build networks and alliances with other CSOs and potential allies, including government agencies, in order to broaden support for their initiatives. Through multi-stakeholder meetings and education exchanges, organizations can expand their networks, improve their strategies and initiatives by sharing lessons learned, and build a broader consensus around the need for change.

In Georgia, IFES is implementing the Knowledge, Advocacy and Responsible Engagement (KARE) activity to train and motivate representatives from local Azerbaijani, Kist and Armenian ethnic communities to create and implement effective social and political advocacy campaigns. The goal of the activity is to bring representatives of these communities into local and national decision-making and achieve true representation for these traditionally ignored and marginalized communities in a united Georgia. As part of its outreach effort during the Covid-19 lockdown IFES has worked with these groups to produce nationally-recognized Public Service Announcements

which help magnify the inequality these communities have faced during the pandemic and rallying for “One Georgia” ahead of the October elections. More information on this can be accessed at: www.ifes.org/news/ga-ifes-research-intern-kamran-mamedovi-ethnic-minorities-georgia.

- iv. **Technical assistance for electoral management bodies and government institutions:** In many countries, government policies and processes serve as barriers to minorities’ full participation in electoral and political processes. IFES works directly with electoral management bodies (EMBs) to institute measures that can improve minority groups’ awareness of and access to political processes. This includes support to production of national identity cards to enable the registration of traditionally marginalized voters, working with EMBs to conduct civic and voter education campaigns that are available in minority languages and adapted to meet individual communities’ needs and conducting legal analyses that take an inclusive human rights approach to reform.

In Libya, in preparation for discussions around a new and broader electoral framework, IFES produced an analysis “Beyond Constitutional Reform to Elections: Libya Electoral Legal Framework Analysis” to provide stakeholders with a holistic snapshot of the electoral legal framework. The analysis outlines concrete recommendations for reform to strengthen the electoral systems and procedures that promote political inclusion, ensure a level playing field and establish sustainable accountability mechanisms. The recommendations also aim to help bolster Libya’s democratic resiliency after the transitional period and provide a roadmap for ongoing incremental reform even in the absence of significant constitutional milestones. More information can be accessed at: www.ifes.org/sites/default/files/libya_electoral_legal_framework_analysis_november_2019.pdf.

The Autonomous Region of Bougainville (AROB) conducted a referendum to determine their status vis a vis Papua New Guinea. IFES supported the Office of the Bougainville Election Commission (OBEC) and the Papua New Guinea Electoral Commission (PNGEC) in their role on the Bougainville Referendum Commission (BRC) to plan and deliver a credible, inclusive referendum process. IFES also supported the Department of Peace Agreement Implementation (DPAI) to facilitate awareness activities and ensure a peaceful and sustainable post-referendum environment. More information can be accessed at: www.ifes.org/sites/default/files/ifes_in_bougainville_one_pager.pdf.

- v. **Building inclusive citizenship:** As important as it is to work directly with minority communities, IFES also works with majority communities to build a more inclusive notion of citizenship and national identity. Inclusive civic education incorporates ideas core to democracy such as of equality, pluralism, and social justice.

IFES introduced an innovative, university-level civic education course in Georgia in 2011 that is currently offered at the majority of the country’s accredited universities. In Ukraine, IFES unveiled an innovative, semester-long civic education course, Democracy: From Theory to Practice two years ago. Today, the course is offered at over 20 universities across Ukraine. These courses are tailored for the national contexts and are based on IFES’ global university-level civic education methodology, Strengthening Engagement Through Education for Democracy (SEED). IFES’ SEED methodology integrates democracy and gender equality into all areas of civic and political participation and focuses on minority rights as key aspects of democratic citizenship. More information can be accessed at: www.ifes.org/multimedia/multimedia-democracy-theory-practice

- vi. **Reducing violence against minorities:** IFES is committed to reducing violence against minorities in elections and political processes in all election violence prevention and monitoring programming. This work could take one of many forms, including inserting a category to disaggregate and track

data on violations against minorities in electoral violence tracking systems and incorporating minority leaders and organizations in violence monitoring and mitigation efforts. It is important to note that in all of the above activities, IFES also strengthens organizations in their own institutional and professional development by formulating good internal business policies and processes including financial tracking and reporting; enabling partnerships through networking with peers among CSOs and the government; and improving mission awareness via clear internal structures, delineation of duties, and defined reporting hierarchy.

IFES' Nigeria Election Violence Report (NEVR) project trains CSOs to monitor, analyze and respond to incidents of election-related conflict before, during and after elections. CSO partners post findings online and advocate for peaceful elections through public awareness activities and stakeholder engagement. More information can be accessed at: www.nevr.org.

- vii. **Protect minorities against disinformation and hate speech online.** Democracies at various phases of development and consolidation have proven vulnerable to hate speech against minorities and its ill-effects. Election campaigns provide particularly fertile ground for hate speech and incitement to violence and the authority wielded by, and the amplifying effect of, mass and social media, have been a significant factor in recent years. For responsible electoral institutions, the problem is dynamic and complex. Remedies involving restrictions on free speech and on political and electoral rights are controversial, as they may limit fundamental rights in a democratic society. IFES supports electoral stakeholders to explore how to deter hate speech and disinformation while upholding principles of free speech. More information on IFES' work in this area can be accessed at: www.ifes.org/publications/countering-hate-speech-elections-strategies-electoral-management-bodies.

In Indonesia, IFES has worked with election management bodies to build their capacity to address hate speech and create a safe electoral environment to for minorities. More information can be accessed at: www.ifes.org/news/countering-communal-incitement-and-hate-speech-indonesia.

In South Asia, IFES is working with youth and civil society groups to build their capacity to counter hate speech and disinformation against minorities. Over a hundred organizations and 300 people had been trained in counter-speech at this writing. More information can be accessed at: www.ifes.org/news/countering-covid-19-infodemic-students-bangladesh-lead-charge.

We also offer some recommendations for consideration in promoting and protecting of the rights of persons belonging to minorities from the four categories:

- i. **Efforts to empower minorities must utilize empirical data that outline the conditions and challenges faced by various groups.** Generally, current research relating to minorities is lacking and needs to be better developed, particularly to study the intersection of traditions and traditional societal roles with the attainment of equal opportunities for advancement and participation in the national dialogue. In many cases treatment efforts have focused on legal provisions for the inclusion of minorities (e.g., whether a country's constitution or enforcement rules and mechanisms enable equal status before the law for religious minorities).
- ii. **Effective protection activities must delve further into the intersectional cultural realities of minority communities that will affect these efforts.** Acknowledging long-held attitudes based on traditional local relationships or interpretations of religion is important to finding acceptable solutions to what, in many cases, are "doubly-" or even "triply-" marginalized populations.

- iii. **Priority should be placed on remote and rural locations previously underserved by assistance efforts** and traditionally ignored by national governments. These can include mountainous or desert locations, or those in previous conflict zones. For groups with national representation, such as religious minorities, outreach efforts will need to target representatives of these groups across the country of focus (making an effort to not only access the more economically advantaged populations in the national or regional capitals).
- iv. **Enforcing the equal rights of all citizens should begin with educating children and adolescents through educational opportunities, both formal and informal**, as potentially negative views towards different groups begin at an early age. Stereotypes are often purveyed in the home but can be counteracted in the classroom through an integrated civic education course that focuses on citizenship and building a democratic state. In-class activities can be augmented through extracurricular opportunities for adolescents, including summer or winter camps; student interactive projects; and opportunities to experience public service through internships, service learning, and apprenticeships with members of local government and private organizations. This matching of minority populations with persons of authority or rights advocates can legitimize the efforts of those populations with respect to asserting their equality on a regional or national stage. Activities should include co-mingling participants from other marginalized groups, as well as representatives of majority populations, in order to build a more collective mentality and national civic consciousness.
- v. **Delivering innovative approaches to empowering minorities requires a robust system of monitoring and evaluation that can measure and track incremental progress against stated goals and intermediate objectives.** This approach will measure change in behavior and attitudes, as demonstrated in the post-intervention period and tracked regularly through interviews, observed behaviors, and periodic surveys.
- vi. In promoting sustainable change in behavior and attitudes, particularly among young adults and adolescents, **assistance efforts need to be embraced and owned equally by local and national government and civil society in order to enable and reinforce efforts at promoting equal rights of all citizens.** Local-national government partnerships can legitimize assistance efforts, solidify gains achieved, and encourage and embolden efforts to further promote the rights of minorities.
- vii. **Efforts to assist minority groups will be buttressed by working closely with community leaders** who already have credibility and recognition among their constituents, as well as with majority groups both locally and nationally. Receiving the imprimatur of community leaders will also assist in legitimizing activities for more effective introduction. **The creation of “cross community councils”** will play an important role in elevating minority rights’ concerns to a national level, encouraging collaborative advocacy efforts and fostering dialogue with state institutions and decision-makers on the topic of enfranchisement and inclusion.

For more information contact Vasu Mohan, Regional Director, Asia Pacific, and technical lead, Election Conflict and Security (vmohan@ifes.org).