

Fifth Session of the Forum on Minority Issues, 27-28 November, 2012

Agenda Item IV

Statement of the Delegation of the United States of America

The United States is pleased to participate in the Forum and to have the opportunity to discuss good practices in protecting the rights of persons belonging to minorities. The United States has long been a supporter of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and welcomes efforts to implement these protections within domestic legal systems. The United States has always been a multi-racial, multi-ethnic and multi-religious society and we are proud of our efforts to safeguard the rights of persons belonging to minorities. The United States Constitution; the constitutions of the various states; and federal and state law and practice provide strong and effective protections against discrimination on the basis of race, color, ethnicity, and national origin in all fields of public endeavor and with regard to substantial private conduct as well.

I'd like to touch briefly and more specifically on the importance of ensuring that persons belonging to minorities are aware of their rights and have the information and support they need to be able to exercise them. We think this is an area that warrants further discussion and we appreciate the attention paid to this issue in the draft recommendations.

As a general matter, information about human rights is readily available in the United States. The scope and meaning of – and issues concerning enforcement of – individual rights are openly and vigorously discussed in the media, freely debated within the various political parties and representative institutions, and litigated before the courts at all levels.

The expansion of internet services and the ever-increasing availability of internet access have made information concerning human rights and racial and ethnic discrimination even more readily accessible to the U.S. public. Virtually every federal and state agency has a website on which information about the agency structure and programs – including those of agency offices of civil rights – can be found. Many of these websites include relevant information in languages other than English, which increases dissemination to persons with limited English proficiency within the United States. In this regard, I would like to highlight recent efforts by the United States to improve access for persons in the United States with limited English proficiency. Noting the holding by the United States Supreme Court that failure to take reasonable steps to ensure meaningful access for such persons is a form of national origin discrimination, on August 16, 2010, the Attorney General sent a letter to all state chief justices and state court administrators concerning the need to bring state court language access policies and practices into compliance with federal civil rights requirements.

I would also like to highlight the work of the Access to Justice Initiative within the U.S. Department of Justice. The Initiative's staff works across federal agencies, and with state, local, and tribal justice system stakeholders, to increase access to counsel and legal assistance and to improve the justice delivery systems that serve people who are unable to afford lawyers. Specifically, the Initiative is designed to improve the availability and quality of indigent defense; enhance civil legal representation for those without great wealth, including the middle class as well as the poor; promote less lawyer-intensive and court-intensive solutions when possible; focus on the legal needs of the most vulnerable; exchange information with foreign ministries of justice and judicial systems on respective efforts to improve access; and encourage the

development of more thoroughly evidence-based solutions to problems in the delivery of legal services.

The United States looks forward to further discussion of how best to ensure that persons who are members of minorities are aware of and can exercise their rights.