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**Eighth Session of the United Nations**

**Forum on Minority Issues**

***“Minorities in the criminal justice system”***



United Nations  
**Human Rights**

OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

**Statement by  
The Deputy High Commissioner for Human Rights**

**Geneva, 24 November 2015**

**10:00-13:00**

**Room XX, Palais des Nations**

It is a great pleasure to join you for the opening of this eighth session of the United Nations Forum on Minority Issues and to welcome you all.

I am particularly pleased to see so many **participants representing minorities** from around the world present today. This is your Forum and a unique space within the UN system for dialogue on issues pertaining to minorities; an open space where all stakeholders involved in the promotion and the protection of the rights of minorities can meet, exchange ideas and learn from each other's experiences. It is a venue where minority voices are welcome and can be heard.

I would like to congratulate Mr Joshua Castellino for his appointment as the **Chair** of this 8th session. I am sure that we will benefit greatly from his guidance and wealth of experience in the topic at hand.

I also warmly thank and congratulate the **Special Rapporteur on minority issues**, Ms Rita Izsák, for her work in preparing and guiding this Forum, with the support of the committed staff of our Office.

I also welcome the distinguished group of **experts** who have kindly agreed to contribute to this Forum. From the wealth of experience from around the world that they bring to the podium, I know that their presentations regarding the four themes that will be the focus of your deliberations over next two days will undoubtedly provide thought-provoking ideas regarding the complex challenges minorities are confronted with in the various stages of the criminal justice process and also assist in the responses that this Forum is tasked to discuss.

**Criminal legal systems** vary across the regions; they have developed over time as a result of each country's unique history, legal tradition, cultural diversity and judicial choices. Despite these differences, one commonality exists: in all countries, criminal justice systems are meant to be credible, trustworthy judicial institutions acting under the rule of law, in an impartial manner and in full compliance with international human rights standards.

However, as we look back at not only the recent developments in different parts of the world, but also over the past decades, the reality is depressingly different: it often is **ethnicity, religion or other characteristics or status that dictates whether a person is arrested, how she or he is prosecuted or subjected to a harsher sentence.** Frequently, this

is the result of a deep-rooted history of discrimination - long-sustained prejudices against specific groups having evolved into institutionalised discrimination, eventually resulting in discriminatory treatments in all stages of the administration of criminal justice.

Across regions, evidence indicates **disturbing patterns of violations of the rights of minorities in the criminal justice process**. Most alarmingly, these abuses often remain undocumented, unchallenged and free from punishment. How can we talk about the pursuit of human rights and justice for all if the systems that are in place to precisely protect the rights of those most vulnerable to abuse, deliver unequal standards of justice?

**International human rights principles and standards**, including the rights enshrined in the 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, are instrumental to combat and prevent discriminatory law and practices against minorities in the criminal justice system. Curtailment of rights of minorities is never justified on the basis of cultural, juridical or other national specificities. However, with the many remaining challenges I look forward to your recommendations on how to achieve this goal.

OHCHR contributes to this objective by making full use of its operational presence at the national, regional and global levels to provide states and other relevant stakeholders with many **practical recommendations** on how to promote the rights of minorities in the criminal justice system, including fostering the participation of minorities in law enforcement agencies. For instance, in 2013 OHCHR launched a series of consultations on “participation of minorities in policing: community policing as a good practice”, with the view to collecting experiences that proved to be effective. Ultimately, the consultations clearly pointed out the need for inclusive policing strategies as an integral part of comprehensive governmental policies relating to the protection of minority rights.

OHCHR also supports two funds, the UN Voluntary Fund for Victims of Torture and the UN Voluntary Trust Fund on Contemporary Forms of Slavery, which are effective tools in the fight against impunity with a strong victim-centre approach. **The Slavery Fund** has for instance supported legal assistance to Haliya bonded labourers in Nepal, who are exploited in agricultural and domestic work because of their descent, as well as to the Haratine in Mauritania, to improve their access to formal justice and support their efforts to eradicate slavery-like practices. Similarly, the **Torture Fund** has provided support to Roma victims of

torture and ill-treatment in pre- and post-trial detention phases - among numerous similar projects.

The above examples of our technical assistance efforts show our commitment to combat impunity and strengthen accountability and the rule of law through **result-oriented and focused technical cooperation programmes**.

However, to ensure the success of our common objective, it is crucial that all of us remain fully committed to the human rights norms and principles that we have worked so hard to create. Let us not spare any effort to work with passion and commitment in order to fulfil the promise of **equality and justice for all**.

I wish you a fruitful and constructive debate.