

MINORITY POLITICAL PARTICIPATION IN THE OBAMA ERA



SEPTEMBER 15, 2010

**Briefing of the
Commission on Security and Cooperation in Europe**

Washington: 2014

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ABOUT THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE

The Helsinki process, formally titled the Conference on Security and Cooperation in Europe, traces its origin to the signing of the Helsinki Final Act in Finland on August 1, 1975, by the leaders of 33 European countries, the United States and Canada. As of January 1, 1995, the Helsinki process was renamed the Organization for Security and Cooperation in Europe (OSCE). The membership of the OSCE has expanded to 56 participating States, reflecting the breakup of the Soviet Union, Czechoslovakia, and Yugoslavia.

The OSCE Secretariat is in Vienna, Austria, where weekly meetings of the participating States' permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations. Periodic consultations are held among Senior Officials, Ministers and Heads of State or Government.

Although the OSCE continues to engage in standard setting in the fields of military security, economic and environmental cooperation, and human rights and humanitarian concerns, the Organization is primarily focused on initiatives designed to prevent, manage and resolve conflict within and among the participating States. The Organization deploys numerous missions and field activities located in Southeastern and Eastern Europe, the Caucasus, and Central Asia. The website of the OSCE is: <www.osce.org>.

ABOUT THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The Commission on Security and Cooperation in Europe, also known as the Helsinki Commission, is a U.S. Government agency created in 1976 to monitor and encourage compliance by the participating States with their OSCE commitments, with a particular emphasis on human rights.

The Commission consists of nine members from the United States Senate, nine members from the House of Representatives, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair rotate between the Senate and House every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

In fulfilling its mandate, the Commission gathers and disseminates relevant information to the U.S. Congress and the public by convening hearings, issuing reports that reflect the views of Members of the Commission and/or its staff, and providing details about the activities of the Helsinki process and developments in OSCE participating States.

The Commission also contributes to the formulation and execution of U.S. policy regarding the OSCE, including through Member and staff participation on U.S. Delegations to OSCE meetings. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from participating States. The website of the Commission is: <www.csce.gov>.

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Commission on Security and Cooperation in Europe Washington, DC

The briefing was held at 1:30 p.m. in the South Congressional Room of the Capitol Visitors Center, Washington, DC, Dr. Mischa Thompson, Policy Advisor, Commission on Security and Cooperation in Europe, moderating.

Panelists present: Hon. Michael Honda, a Representative in Congress from the State of California; Gay McDougall, Independent Expert on Minority Issues, United Nations; and Dr. Mischa Thompson, Policy Advisor, Commission on Security and Cooperation in Europe.

Mr. HONDA. Good afternoon, ladies and gentlemen. Bon jour, madames and mademoiselles. I think that's how you say it. [Laughter.] Good afternoon. And we'd like to get this portion of the program started.

My name is Mike Honda. I represent California Congressional District 15, just south of Congresswoman Barbara Lee. Unfortunately, the Honorable Alcee Hastings is not feeling well, so I will be reading his opening statements on his behalf, and be his surrogate.

And on behalf of Congressman Hastings, he says to you:

Good afternoon. As a current Co-Chair of the U.S. Helsinki Commission, I have been tasked with the responsibility of monitoring and supporting 56 European and North American countries' efforts to uphold the Helsinki Accords and related commitments, including fostering equal rights and combating intolerance and discrimination. The Commission has held several meetings and hearings on these topics, including on Black Europeans and racism.

A common finding of those hearings was the need for increased minority participation at all levels of government to truly address the issues of discrimination and inequality that disproportionately impact minority communities. For the past 2 years, I have partnered with minority parliamentarians in Europe to discuss how best to remedy this problem.

At the first event, the Black European Summit, minority leaders from more than 10 countries exchanged information on barriers to political participation and adopted the Brussels declaration, which addresses the importance of these end strategies for increasing racial and ethnic minority political participation. Materials on these initiatives have been made available today.

I am pleased that the U.N. Independent Expert on Minorities, Ms. Gay McDougall, is here today, as she testified at our Commission hearings that sparked these efforts and has played an integral role in the United Nations in ensuring that the issue stays on the global agenda, by hosting a forum on minorities and effective political participation in Geneva, Switzerland, at the end of 2009.

I was part of the U.S. delegation, Chaired by the Honorable CBC Chair, Congresswoman Barbara Lee, and including my colleague, CAPAC Chair, Mike Honda—yours truly—and the Representative Donna Christensen. I am pleased that they have found time in their busy schedules to be here with us today. My findings from the meetings I co-partnered in Europe and Expert McDougall's meeting in Geneva are as follows.

First, the majority of our political and legal systems do not accurately reflect the racial and ethnic diversity of our societies.

Second, in many places, racial minorities, in particular, have not been sufficiently included in the development and/or implementation of government policies, even when the stated policy goal is to combat racism and discrimination.

Third, institutionalized processes are often at fault, yet in many places, despite stated commitments to democracy, there continues to be a lack of political will from government, political parties and other actors to include racial minorities.

Fourth, the lack of political knowledge of racial minorities often makes it difficult to garner the necessary support from minority communities to effectively address these issues.

Fifth, political participation is often defined as whether minorities have the right to vote or to be elected. While this is one aspect of participation, policymaking via obtaining positions in the government and/or with political parties, grassroots advocacy and an understanding of the political process, such as how laws are drafted, are also of great importance.

Importantly, we are making strides, as seen by the election of President Barack Obama in this country, the appointment of minorities to Cabinet Minister posts in France, Sweden and Germany, the election of Russia's first Black Town Counselor, and even the attendance of numerous politicians and political aids from France at this very event. However, we know we must do more when, in this country, there's only one African-American in the U.S. Senate, almost no Latino staff in leadership positions in Congress, despite the growing U.S. population, and situations abroad that, in many cases, are much worse.

I look forward to hearing how the work of Expert McDougall might address some of these and other issues, and encourage members of the audience to join the discussion through the question-and-answer period following Ms. McDougall's remarks. I thank you.

And thus ends Congressman Hastings' comments. And I will turn the mic over to representative Gay McDougall. Gay?

Ms. MCDUGALL. Well, thank you, Congressman Honda. And through you, I want to thank Congressman Alcee Hastings for keeping this work alive, first and foremostly within the OSCE, and then, of course, within the U.S. Helsinki Commission. It's a great pleasure to be here with all of you. Some of you, I have met in other situations, in other forums. And I look forward to an exchange of views.

I want to start by just commenting on my own role so that I can put the other points that I'm going to make into context. In 2005, I was appointed to serve as the first United Nations Independent Expert on Minority Issues. By minority, we mean persons who are

identified as being distinct within their larger societies on the basis of their ethnicity, their race, their religion or linguistics.

And a central part of my mandate is the enforcement to the right of nondiscrimination based on race, which is protected by the International Convention on the Elimination of All Forms of Racial Discrimination and Xenophobia. And this is a human-rights treaty to which France is party, to which the United States is party, along with, I think, something like 180 other countries.

My methods of work include diplomatic engagements with governments through country visits to assess the general situation of discrimination in the country. That includes written communications with governments, consultations with civil societies, non-governmental organizations, academics, scholars, victims groups, as well.

I report to the U.N. Human Rights Council, which is a body of 47 governments that sits at the U.N. headquarters in Geneva. And I make recommendations to governments and to the U.N. about efforts and measures that would be positive, with respect to meeting government obligations of non-discrimination and advancing these issues within international fora. And I work quite closely with the OSCE High Commissioner on National Minorities.

One of the lessons that I've learned in doing this work is that racial discrimination is ubiquitous. It's a global phenomena. The victims may differ in terms of language or culture, but the experiences of exclusion, subordination, of violence and discrimination are remarkably similar in every region of the world. No region is immune; no country is an exception.

Since I took over this mandate 5 years ago, I've visited 13 countries to investigate their policies and practices on non-discrimination—countries that are in both the developing world and the developed. Included are established democracies as well as what many call Communist countries, some post-Communist countries. I've encountered many political systems and a variety of approaches to minority rights—some that are progressive and some that are not so progressive.

Yet, in every country that I have visited, members of minority groups have complained to me that they do not have the level of political participation that is their right; that they are excluded or discriminated against in their efforts to raise their voices on issues of political concern to them, through the political process.

Minorities have told me that even when they—members of their minority group do hold office, it's often a token position, that those who hold office do not always fully represent them or their issues, or indeed, any constituency, and that their participation is neither effective, nor meaningful. So this is the reality that minorities face. Minorities are vastly under-represented and play far too little of an effective role in political processes in all of the countries that they are in, both rich and poor countries.

And while my own country may look as if we're far down the road, I think many will agree with me that we're just skating on the surface, although we applaud our achievements so far. So it was on this basis that I determined that the second session of the U.N. forum on minorities should focus on a very critical issue of effective political participation for minorities. And the forum occurred in November 2009.

I just want to say a word or two about the forum. It is a unique and new institution within the human-rights mechanisms of the United Nations. It had its inaugural session in 2008. I am charged—as one of my duties as independent expert on minorities, I'm

charged to determine the theme and to organize the work and to convene the forum every year. And I try to make sure that this one lives up to its designation, if you will, or its role as a forum not only on minorities, but of minorities—a place where minority voices are elevated within the larger context of the United Nations.

The first year of the forum, the inaugural year, we considered the theme of minorities and the right to equal-quality education—not just education; equal-quality education. The second one was minorities and effective political participation. And later this year, in December, we will have the third session of the forum, which will focus on minorities and economic exclusion. And I invite and want to encourage all of you in this room to join me in December in Geneva to talk about another one of our fundamental issues as minorities, and that's exclusion from full participation in the economic lives of our country. And now that globalization is a reality in the world.

So back to the second session, where we were very pleased to have, as Chair of the forum, the Honorable Congresswoman Barbara Lee as Chair of the oldest minority parliamentary caucus in the world, the U.S. Congressional Black Caucus. We were also quite pleased to have Congressman Alcee Hastings, who was there as Co-Chair of the U.S. Helsinki Commission, Congressman Mike Honda, Chair of the Congressional Asian-Pacific American Caucus, and Delegate Donna Christensen from the Virgin Islands.

We had over 500 registered participants at the forum, and most important, we had what we call minority political actors from countries all over the world. We had African-descendant parliamentarians from around Europe and people who have immigrant heritage in Europe who have gained seats in parliament and at the city council level.

We had a delegation of Dalit women who served on local government city councils throughout India. We had people from Latin America, from all over the globe. And we had government representation from 45 governments, as well as about 100 representatives of non-governmental organizations. And we considered these issues of political participation, and the discussion proceeded on the basis of a number of presumptions or principles.

The first was that inclusion is good for societies at large, not just for those previously left out. So creating the conditions for effective political participation of minorities should be considered by governments as an integral aspect of good governance.

Second, the right to effective political participation is essential to the enjoyment of all other rights of minorities, including economic, social and cultural rights. Third, central to our efforts to ensure the political participation of minorities is the right to non-discrimination and the obligation of governments to adopt affirmative-action programs to achieve a status of equality for all in the society. Political participation takes many forms.

It certainly takes the form of the right to vote and to be elected to public office, but it also includes the right to be represented in all levels in the public services and the administrative offices of governments, and the police force and the judiciary. In every place where governance is the major mission, there should be an ample and equal participation of minorities.

So we, the 500 participants who were there at the forum, developed, based on these principles, a set of recommendations that you have available to you here, today, in both French and English. And I would say, first of all, that they are phrased in broad language, and that is so that they could be implemented and be relevant to diverse political

systems, across a broad spectrum, because understandably, there is no such one-size-fits-all model.

I want to touch here today on a couple of recommendations just to give you a flavor and a sampling of the recommendations. There's one that I would mention first. Now, our recommendations were directed to all stakeholders—not just governments, but also political parties, to civil-society actors, as well as to international organizations.

But I would say the first I would mention is very important because it's the framework and it's where the OSCE probably has a role that it can play in encouraging governments and supporting them to develop—and that is a national action plan to increase the political participation of minorities.

These kinds of plans could include educational programs, campaigns that promote political participation, ensure diversity among public administration staff, the adoption of affirmative action policies to increase political participation of minorities and the allocation of sufficient resources to realize identified objectives. If money is not put behind it, you've got nothing, in terms of actions.

These kinds of detailed, strategic plans developed in full consultation, always, with minority communities, should provide an essential framework within which the more specific recommendations adopted by the forum could actually be implemented, as I say, across a diverse landscape of different constitutional political systems, as you have in the OSCE.

I want to, in the time left to me, just quickly run through some other recommendations that might interest you.

Also to government, we recommended that each government set up a specific institutional mechanism that should be mandated to conduct, first of all, a baseline survey, and then to monitor on a regular basis the progress achieved toward increasing effective minority participation. In other words, we want our efforts to be results-based. If you're not getting more people into elected positions, then you're not meeting the test. And this data should be made public and easily accessible.

Second, governments and parliaments should ensure the effective functioning and funding of national institutions or agencies—mechanisms that are set up—with the responsibility to promote minority political participation.

Third, parliaments should establish special parliamentary committees to address issues of particular importance to minorities and enhance legislative attention to these issues.

As to political parties, I'm just going to give you a few of our recommendations there. One was that political parties should adopt policies and strategies to increase their minority membership. They should adopt codes of conduct to prohibit inflammatory, racist rhetoric and racist political platforms, not only during the campaign periods, but also between elections. And there should be internal party mechanisms with the capacity to impose strong sanctions against party candidates that violate these codes of conduct with respect to racist language, including for racist platforms.

Political parties should develop strategies for more effective outreach to minority communities, and should actively seek to ensure that all groups in the society understand fully and are aware of the concerns of minorities. And we had a recommendation that political parties should establish mentoring programs, through which successful minority politicians could act as role models, encouraging others to run for office, et cetera.

Mr. HONDA. We have to go vote, so we'll be right back.

Ms. MCDUGALL. Oh, OK. All right. And just to talk a little bit about the media, I think, particularly in Europe, the media has played a very toxic role with respect to the participation of minority politicians.

And so let me just give you a sampling of two recommendations on the media. One is that minorities should be included on all media-related governing bodies, such as supervisory boards, independent regulatory bodies, public service broadcast committees, auditors councils and production teams.

All mass media organizations should adopt affirmative action programs to ensure that their work forces are diverse and representative of societies as a whole, while seeking to gain access to multiple voices within communities for a broadcast.

Another one was that governments should promote equitable access to new information and communications technologies, including the Internet, as a vital aspect of the democratization of information, and an effort—and an effective vehicle for encouraging participation of youth in politics.

And the final one I just want to mention is directed toward the international community, and that is that the international community should allocate sufficient resources to projects aimed at ensuring political participation of minorities, enhancing civic activism and education and promoting issue-based advocacy by minorities.

So the idea here is that the OSCE or the United Nations could establish a voluntary fund for minorities and political participation. And that fund would then channel resources to minorities in countries around the world seeking to get involved in the politics of those countries. And I would say that this is an initiative that the United States could consider spearheading either within the OSCE or the U.N. Human Rights Council.

I finally want to say that I'm happy to note that the forum has been generating a number of followup activities on the topic, one of which is a high-level meeting that is being planned by the Inter-Parliamentary Union that will focus on parliaments, minorities and indigenous peoples' effective participation in politics. This is going to take place in Chiapas, Mexico, at the beginning of November, this year.

And all parliaments, or should I say, each parliament in the world has received an invitation. The invitation has gone to the Speaker of the House—and that's happened in France and the United States here—inviting delegations to come to this meeting in Chiapas. And it's my hope that those national parliamentary delegations will be filled with minority parliamentarians.

So that's my presentation, and I look forward to questions or discussion, as you wish.

Dr. THOMPSON. Hello, and I'm Mischa Thompson with the Helsinki Commission. Congressman Honda actually had to leave for a vote, so he'll be coming back shortly. As well, Congresswoman Barbara Lee will also be joining us. She's voting as well. I think during that time, we would like to actually take some questions from the audience. And so if there is anyone who's interested in asking questions, just please raise your hand.

I'd like to remind people to turn the mics on, you actually need to hit the button which says "push to talk." And then there's also a floating mic around as well. And so if you're not sitting at a mic, just raise your hand. And we'll start with Mr. Dolium. We'll do Dolium, Didi and Diallo. [Laughter.]

[NOTE.—The following remarks are delivered via translator.]

Mr. DOLIUM. Thank you very much for your words. I was able to come to Geneva and to attend the works of this forum. This is more of an observation than a question. I'd like to go back to what you said concerning the media. That is a fundamental issue, in particular in terms of shaping people's imagination and in terms of conveying a different image of minorities participating in political life.

For myself, I belong to that particular group. I began active politicization in politics recently, last year, during a regional campaign. And so I became a candidate for the Presidency of the Île de France region, which is the largest department in France—30 percent of the GDP. However, when I submitted my candidacy, the media decided to really tell me which corner I belonged in, and that was the corner of diversity.

And of course, I'm very interested in diversity. It's a pivotal element for me. It's part of social cohesion. However, my main asset, main skill, is economic development, and that is what I focused on. Indeed, the Île-de-France region is currently experiencing economic developmental problems. So on the one hand, I have had this political media group that has tried to corner me into diversity and to label me as the "French Barack Obama."

And the second point I'd like to make: If you don't play the game—if you don't play their game—then you quickly realize that your openings, your visibility, your ability to be depicted in the media suddenly decreases.

Third point: If you contest the manner in which the media are presenting you, well, they will certainly take care of changing that, and that's what they did with me. If you mention other topics, they will ensure that when you mention these topics, they will be trivialized and it will not be a structural element of what you are presenting.

And so this clearly demonstrates—and particularly in France, because I've also seen this with other candidates. For example, there's a Socialist Party candidate—I'm with the Democratic movement, but there's a candidate with the Socialist Party who, very quickly during the campaign, was called a football—soccer—player.

And certainly, he had certain qualities in that area, but that was not his main asset, you know. He's a brilliant candidate. We don't agree on everything, but he was a brilliant political candidate. But very quickly, the opposition party labeled him as a football player, and they even claimed that he had a police record—a very heavy police record, and thus, he should not be in a position of authority.

And so based on various investigations, it was quickly realized that all of this simply amounted to pure fantasy. So of course, I cannot talk on behalf of all European countries, but in France, in particular, if you have a political candidate who comes from the so-called "visible minorities" and tries to be elected into a political position, well, this becomes very complicated, because the media has very clear specifications.

They simply want to depict you as a minority—and minority, that is to say somebody who does not truly have any capacity to understand the issues of the nation, but somebody who can bear witness. A person who is incapable of drawing an accurate picture of the political situation is somebody who cannot really set forth a political agenda.

Dr. THOMPSON. I think you actually hit on one of the points that the independent expert noted, as well, is that it's hard to separate, I think, the issue of increasing minority political participation without also dealing with discrimination and stereotyping and other prejudices, as well. Mr. Didi?

[NOTE.—The following remarks are delivered via translator.]

Mr. DIDI. I completely agree with what was said, and I'd like to come back to some more technical issues. We have structural problems in France, and it's difficult for us to showcase skill sets in terms of diversity in France. For example, in terms of the electoral German (ph ?)—you know, you look at various regions and well, you bring in nonprofits to try to see what kind of balance might be found in order to—I am the President of Graines de France, and this is a think tank for, you know, more popular neighborhoods. I know that when you do reapportionment of the voting districts, you focus on, perhaps, how you can showcase a minority, and so you can have a certain reapportionment based on that.

But in France, it's always behind closed doors, and nobody understands what's going on. Nobody is able to explain how the precincts have been reapportioned. The second point is, we have been confronted with a problem, and we will continue to be confronted by this main problem.

Alain was on an electoral list—you know, we have regional elections that are taking place in France and we're going to have regional representatives, and they're going to be—it's going to be a one-person ticket. And so people who come from minorities or come from the diversity, these people will be able to have a better chance of being voted in on the list, rather than on the one-person ticket.

And so this is—you know, this is not designed, in France, to sabotage minorities—I mean, at least I hope it wasn't—but the result is the following: Minorities will be impacted. And so what I'd like to know is, how have you modified the mechanisms in order to make this more pertinent, more relevant?

Another issue I'd like to bring up is that in France, we have some parties that are very closed. In 1998, for example, I wanted to join a party and I was actually turned down. No reason was given. And so when you don't have a political culture—when you come from a disenfranchised neighborhood, you don't know any better and you don't really try to investigate why you've been turned down.

And that's something we need to work on. We need to give people the arguments and the weapons so that people who are turned down can understand why and turn against the parties. And so another point—I'm just going to finish here—some parties are more democratic than others, but in our political parties, it's a pyramid organization, and the top of the pyramid decides everything, everything. They decide which candidates are going to be voted for the legislative and the regional elections. And so it's very difficult in order to have a better power base.

Ms. MCDUGALL. Let me respond. I'm certainly not able to respond to each point. I'm actually very interested in taking notes on what you're saying about your situation. [Laughter.] But one of the things that we have put forward in the recommendations is that electoral jurisdictions—you know, voting districts—should be delimited in a fashion that enhances the number of minorities who get elected. It's hard to go beyond that, because every country is so different.

But it should not be done in a way that would reduce the number of minorities who get elected. And I think that one of the things that I'm actually happy slipped by our Supreme Court here in the United States is that it endures—the drawing of voting district lines in order to create districts that would be majority, you know, for minority electorate.

So I think that's very important, and one of the things we try to do in the list of recommendations was to say that governments, first of all, should take it upon themselves to look at the whole electoral system—all of the issues, from whether or not there's a party list or a single-member constituency form of voting to how the voting districts are drawn, to all of these aspects, in order to encourage or enhance the number of minorities who wind up sitting in the legislative body.

And you know, my personal opinion about political parties is that they are quasi-public institutions. And a quasi-public institution should have no right to discriminate on certain grounds. And one would be minority status. One would be sex, you know, et cetera. So I think that, you know, we all have a responsibility to call countries out if they are not abiding by their obligations to create equality—not just create equal opportunity; they ought to create equality. And that's an obligation that they have freely signed onto under international laws.

[NOTE.—The following remarks are delivered via translator.]

Ms. DIALLO. I am Rokhaya Diallo. I am the Chairman of an anti-racism organization. I read the report that you wrote after your visit to France in 2007. At the time, you had already pointed out the ill-treatment inflicted upon travelers, and today, the situation is far worse. You had also underscored its political discourses, which you viewed as offensive. And in fact, here, in France, we have a minister who made a racist joke, but yet, is still in power.

And you also mentioned the religious law regarding the interdiction to wear a veil in schools, whereas now, we've gone even further in France. You can't even wear a full veil in a public space. And you also hailed the creation of the HALDE—the Higher Authority Against Discrimination and for Equality—as being good, but insufficient. So now, I'd like to know, do you think that your recommendations have been followed? And if they have not been followed, what do you think we should do?

[NOTE.—The following remarks are delivered via translator.]

Mr. SANOUSSI. My question is in the same line. I have read your reports and I want to talk about the political meaning. In terms of conflict management, sometimes you need to step aside from the problem in order to really be able to solve it. For example, in France, we've made progress in terms of the fight against discrimination and promotion of diversity as of 2001, and that's when Europe obligated us to retranscribe a European directive. And after that point, a lot of things started to change, whereas prior to that, nothing was going on.

So you talk about an obligation: What do you mean by this obligation? Why is it not implemented? What weight can you bear upon so as to ensure that member states truly apply the directives, as has occurred with the European Union? Be it in France or elsewhere, sometimes, when you're within the problem, you have a hard time taking a step back and you can't really move forward, and you need some impetus, like a tsunami, to really amplify the momentum. So what can you do to ensure that your recommendations—and this goes back to what Rokhaya said—what can you do to ensure the recommendations are truly implemented?

Ms. MCDUGALL. Well, thank you for both of those. And thank you for reading my report. [Laughter.] As a short answer to your question, what can I do to guarantee that they implement, is nothing. My power in my position is only the power of the bully pulpit. I'm able to go and investigate, and high government officials have to talk to me. So I get

information and I get perspectives that are not always publicly available. And I write up a report with recommendations, and I have the ability to make my findings known to an international community.

That's as far as my power goes. And there is an expectation that the international body that I report to—the U.N. Human Rights Council—will put political pressure on governments to fulfill the recommendations.

Now, the body that I report to is itself a body full of governments, and I get around to going to all of their countries, too. So you know, there's a fundamental flaw in the system when you get to the question of a peer-to-peer enforcement system.

But I have found that in my years of working at the United Nations, that times that I have felt most gratified in seeing some, you know, progress made using my reports, it always comes from the people in the country. It's always when they take up the report, you know, that I submit, and use it as a hammer against the government, use it as a means of public embarrassment, use it in the press, use it in the international press, if the national press is not, you know, interested.

But you've got to take it forward. You've got to show up at the Human Rights Council. I would dare say that most of the governments sitting in that council have no idea that there are minorities in France who are actively trying to knock on the door to political participation and the door ain't opening. You know, I think that you have got to make it—make more of it yourself in the forums that you, from your knowledge of the government, know will be effective.

Now, just to get to your point about the Roma, I would say that I am extremely apoplectic about what is happening in France, what the government's policies are and what its actions have been toward the Roma. And I mentioned, in my report, I thought that they were—that what I was hearing at that time and what I understood—and this was 2 years ago—was not in conformity with the government's obligations—international, legal obligations. But I think that—and that's with respect to international human rights treaties.

What's happening now, I think, is a matter that I would consider outrageous. And it certainly not only violates international legal norms, but you've got the very well-developed European law and European Commission law that speaks directly to—there's a European Parliament resolution that was just passed in September, you know, calling for an immediate halt of these so-called “voluntary deportations” of Roma. It violates the European Commission treaty and the directive on racial discrimination. It violates the same on freedom of movement.

You know, within the European arena, one of the advances was the commitment to freedom of movement, freedom of migration. And while there are certain restrictions there, those restrictions can't be applied solely to one country only. And I think we now have some evidence, in I think it is a leaked government memorandum, that these are targeting one specific group of people, and that is specifically not lawful.

In collective expulsions, this augurs back to a very dark period in European history, and it's very clear, I think, there are no Europeans that could ever imagine that it was lawful to engage in collective expulsions of people, where you are not considering any individual cases at all. And you know, I'm astounded. As far as I can tell, the voluntary nature of the deportations is a myth.

When you've got, you know, what is it, 200 euro per head for adults, 100 euro per head for children and you've got, backing up that kind of carrot, you've got the stick of roughshod policing and destruction of Roma homes without any other substitute to meet their right to shelter and obligation of the government to shelter them, I think there is nothing voluntary at all in what is happening.

So I think that other European Governments, I think the European Commission, I think the OSCE and the U.N. must condemn these practices. They are counter to, I think, what we have widely regarded as fundamental freedoms in human rights.

Dr. THOMPSON. And I think linked to those comments, I just wanted to direct people to a statement that Congressman Hastings actually made that's been made available on the table outside, regarding the situation of Roma, as well. This has been an issue that the Commission has long followed, in part, I think because of the efforts of my colleagues who's sitting in the back here, Erika Schlager, in the red, if anyone is interested in speaking in detail with her about the Commission's work on the Roma following this event.

Were there any—oh, and one of the other things I wanted to say, too, is that this event isn't solely focused on France. [Laughter.] So I think there are a few things that we could definitely note in the U.S. situation, for instance the presence of only one African-American Senator, for example, the lack of Latino staffers in both the House and Senate, for example.

I think there are a number of issues within the United States that touch upon these issues, in addition to a number of the other OSCE countries in the region, which we haven't talked about. So I would encourage other people to weigh in, as well. And I'm sorry—I started on this side of the room, so I'll start here and then we'll go there, and then we'll come back over this way.

[NOTE.—The following remarks are delivered via translator.]

Question. Good afternoon. I'm Hakim Hallouch. I am the first diversity leader at the Paris Political Institute, and this was the first major French school to have a diversification program of its student body. And it's worked on this issue for 10 years, and today, for better or worse, we are somewhat isolated, in terms of higher education in France, in terms of social diversification.

There's a city in the northern suburbs of Paris, so I had a very specific question. It does not apply exclusively to France, but mostly to Europe—but also, perhaps, the United States—and this will answer the two hats that I wear. And this issue is namely abstention, failure to vote in a democracy—democracies, be they in Europe or the United States.

And I would like to know if you were able to work on a relationship of cause and effect between nonvoting abstention and the representivity of minorities—ethnic minorities, racial minorities, religious minorities or social minorities—lack of voting, voting trends and their levels of representation. I would like to know if you've done any studies on that.

Ms. MCDUGALL. Well, I have not done studies, myself, on that, though there have been lots of studies—I mean, warehouses full of studies on the question of, you know, the level of voting within minority communities. Why, in the United States, I mean, it is at the levels that it may be; why not. And of course, there is a direct relationship between the voting strength and voting power of minority communities and their power within any system, and certainly the number of elected officials.

Of course, there are lots of other things that impact on that, and sometimes, the system—you know, the electoral system—is such that it dilutes the voting power of minorities. So you have to look at both, but I think that within the United States, at least, it's been quite a—maybe over-studied topic. And maybe some of you may be talking more at length with some of the scholars at Howard University tomorrow, who could actually give you details about that.

Mr. MORRIS. As one scholar, I'd like to point—(inaudible, off mic). We have a program of exchange that—

Dr. THOMPSON. Can you introduce yourself? Sorry.

[NOTE.—The following remarks are delivered via translator.]

Dr. MORRIS. We have an exchange program with Sciences Po and we have a whole bunch of studies underway—(inaudible, off mic).

Question. My name is Sadira Shadiq Haita (ph ?) and I'm with the United Macedonian Diaspora. And I wanted to thank you for the presentation, first of all, and raising awareness about the minority issues worldwide. And in September 2008, you visited Greece, and then later on, in 2009, February, you published a report on Greece. And can you tell us about the findings, in particular in regards to the Macedonian community, and your recommendations for Greece? Thank you.

Ms. MCDUGALL. Yes, you're quite right that I visited. I went on an official mission to Greece and looked at a number of specific minority communities in Greece, and issues that were being raised by minorities. And those minorities included Muslims in Western Thrace; they included the Roma; they also included people in the northwest of the country that identified themselves as having a Macedonian ethnicity.

And the government was actively denying any legitimacy to that claim of ethnicity and, in some practical ways, trying to suppress the ethnic identity of those that associated themselves as Macedonians. And just to sort of summarize, I concluded—after going to the area, talking to many who saw themselves, identified themselves as ethnic Macedonians—I saw no legitimacy in the government's position that such an ethnicity simply did not exist.

And in many ways, I found that the government position was one that focused more on its relationship with neighboring countries than on the rights of Greek citizens to be able to self-identify and their right to self-identify and their right to use labels for themselves, and for their institutions and organizations and their rights, under appropriate circumstances, to engage in activities that would preserve their language, teach their children of their language and culture and to practice their cultural rituals. So that's, in sort of a summary fashion, my findings for that.

Question. Good afternoon. My name is Marcia Johnson-Blanco. I'm with the Lawyers Committee for Civil Rights under Law. I'm a voting-rights lawyer. And I wanted to ask—you talked a bit in reference to the election systems that have an impact on minority political participation.

And here in the United States, we have redistricting of electoral lines that will be going on next year. And in addition, we have active challenges to laws such as the Voting Rights Act that help minorities to be able to elect their candidates of choice.

And I wanted to get your perspective on the countries that you've studied, whether there's similar laws and processes for encouraging minorities to—or laws that support

minorities' ability to elect candidates of choice, and how that impacts on political participation.

Ms. MCDUGALL. Well, there are countries that I know about that have systems that are, if you will, minority-friendly, that I may not have visited officially—for example, South Africa, which I know through other activities, but have not visited in this capacity. And they adopted many of their rules about their electoral system based on it being a system that would encourage and increase the number of different identity groups' participation in the government.

That was the reason why they chose a proportional representation, party-list system for their first national election—so that the largest possible number of groups within the society would wind up in parliament. They also made the decision that—with respect to those party lists, each political party had to put a woman on the list—each third person had to be a woman on all political party lists. That, I thought, was very positive. The delimitation of electoral districts is not really the same there, doesn't have the same impact there as, for example, here.

But I would say—just to mention, as another country—it's very interesting to me to see what has happened over the last year-and-a-half in the U.K., where there was, within Parliament, the Speaker of the House of the U.K. Parliament has an ability to take up a special issue and drive it through a process that they refer to as a Speakers Conference.

And the U.K. Speaker of the House devoted attention over the last, I think, two years to studying and developing a set of recommendations to increase minority participation in Parliament in the U.K. And I thought it was—now, you know, we're still waiting to see—as I say, we have to adopt a results-based evaluation, but as far as the process and the report that came out, I thought it was very much worth looking at.

So there are different—I can talk about countries like Kazakhstan—very different country. Kazakhstan has a high priority on recognition of minorities within its population and creating a national ethos of, “minorities are an important part of who we are.” Now, the way they've done it there has been to—rather than to try to, you know, create mechanisms within the electoral system, per se, they have created a special body that is a national assembly of minorities, which creates an opportunity for representation of each minority group, or all minority groups, at a high level.

And this national assembly, itself, first of all, is a consultative body directly to the President on issues relating to minorities. It also has the power, itself, to elect/appoint I think it's nine people to the House of Representatives—I don't have that name correct, but you know, the second-tier body within parliament.

So there are a number of ways, across many different kinds of political systems, where there is a possibility and, you know, a system to recognize and acknowledge the importance of some representation of minorities. A lot of places, you'll find, set aside seats for—I mean, Greece has, I think, two seats in parliament for members of the Muslim minority. So in a lot of places, there are special seats in parliament for representatives of minority groups.

Dr. THOMPSON. And I'll say, quickly, on the topic of Kazakhstan, as the Chair in Office of the OSCE, there are actually a number of reports that the Commission has done specifically focused on Kazakhstan. So if there are others interested in other aspects of the Kazakhstan Government, there's a lot of information there that I actually won't go

into here, now, I think. I just wasn't sure if your hand was up or not, but Dr. Morris. And if you could start by introducing yourself, as well.

Dr. MORRIS. Lorenzo Morris, a Professor of Political Science at Howard University. I wanted to take just a second to comment on abstentions and nonvoting, because there is a civil rights element there that is very important, I think, in the United States and in our major voting rights law, the Voting Rights Act of 1965. The level of registration was used as a criterion to determine whether or not discrimination existed without pointing to race.

And I think that's important, in the French case, because given the French unwillingness to identify any kind of anything that may remotely be a specific minority or otherwise, it's important that criteria that have been effective here, where we, at least, do point it out, might be considered. Now, the level of nonvoting in France is probably much lower than here, but nevertheless, it can be used as a significant indicator.

Now, why is that indicator important if there's no law? It seems to me that participation is pushed, here, by the political parties. The real failure is that the parties don't even form themselves like normal parties, in some ways, and that, that's easily targeted and publicly exposed if they're willing to neglect constituencies.

And where there are concentrations, whether it's in the 19th or 18th arrondissement, the participation is lower, the minority members, even if they are small, in the party should use that as a battering ram to show the way they can mobilize voters, which is what was done here, to the limited extent that people like Fannie Lou Hamer and others made inroads into our party system.

Dr. THOMPSON. There are just other comments before I went back to—

[NOTE.—The following remarks are delivered via translator.]

Mr. DOLIUM. Yes, just in terms of leverages, I wished we could have heard your analysis, at least your point of view, in terms of multiple jobs, multiple elected positions, if that's a problem in France. And this is an economic power. Economic power is transmitted from generation to generation, and likewise, political power tends to transmit itself from generation to generation.

And the fact that you can have several elected offices at once, there's a monopoly in France and that's a problem in Europe. And do you deal with that problem in the United States? And how do you deal with it—namely, the possibility of holding several elected offices at the same time?

Ms. MCDUGALL. I don't think it's—is it even permitted? I don't know. But it's not an issue here. Is it permitted? I don't know.

Dr. MORRIS. I missed the first part of the question.

Ms. MCDUGALL. He's asking whether or not—you know, in France, you can hold two or three different—

Dr. MORRIS. Oh, no, no, yeah, that's right, that's right.

Yeah. Is there a law against it, per se?

[Off mic.]

Ms. MCDUGALL. OK, yeah. It's very strange to us. [Laughter.]

Dr. MORRIS. But may I just—one reason it works so well in France is because the parties are so important. They're the ones that bring people in and bring them out. And I think that's where the minorities are France are missing the real attack. The way in

which you have to be born into the parties, you have to wait and wait, and nobody complains, you know?

Ms. MCDUGALL. Well, the thing—you know, it's true. The political parties here are not that powerful. Really, it's not a political-party system here. It's an individual system. Even in terms of money, you know, the candidate raises the money for him or herself. You know, maybe there would be—one would like for there to be some help from the top. But you know, as to the ground-level politician across the country—they raise the money themselves.

And they vote—in parliament, you know, there are attempts—excuse me, my colleagues from Congress—but there are attempts to form general caucus positions, but you're not really going to be—you know, I could raise a name here, but it wouldn't be polite, where, you know, members don't vote the line of the party. You know, but they owe their accountability more to their constituents than to the party. So you know, it's a different system, in terms of that.

Dr. THOMPSON. OK, I'll say we have one more—OK, based on that, if you wanted to make any closing remarks, we're heading toward 3 o'clock and so are actually going to be forced to exit the room.

Ms. MCDUGALL. Well, I just want to thank the Helsinki Commission for holding this briefing and for inviting me to participate. I've enjoyed my collaboration with the Commission, and I think that this kind of opportunity to talk across systems and across national boundaries has got to be helpful on both sides.

And I would say to my American colleagues over here, we've got to see it as helpful in both directions. Because I've found, in the work that I do, that I usually learn as much from other places and other systems and the approaches that people are taking in other countries, I learn a lot that I think is very helpful to our system here and to the kinds of—if I could just put on my “Black American hat”—and to the kind of struggles that we are trying to wage, still, here in the United States. [Applause.]

Dr. THOMPSON. Just an important reminder for members of the European delegations, there's going to be a briefing from congressional staff here starting at 3 p.m. So you're welcome to stay for that briefing. And if there are others in the audience that are interested, just please contact me and I'll see if we can facilitate your participation, as well. Thank you.

[Whereupon at 3 p.m. the briefing ended.]



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