



Promoting inclusive parliaments:
The representation of minorities and indigenous peoples in parliament



A GLOBAL OVERVIEW

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Dr. Oleh Protsyk



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Introduction

The parliamentary representation of minorities and indigenous peoples is essential for ensuring these groups' effective participation in public affairs. Whether minorities and indigenous peoples are actually present in legislatures, whether their voices are heard, and whether their interests are taken into account are all important indicators of minority/indigenous participation in decision making on a national level. Such participation has the potential to benefit everyone in a society. It can help to strengthen democracy, greatly improve the quality of political life, facilitate societal integration and prevent conflict.

The parliamentary representation of minorities and indigenous peoples is essential for ensuring these groups' effective participation in public affairs. Whether minorities and indigenous peoples are actually present in legislatures, whether their voices are heard, and whether their interests are taken into account are all important indicators of minority/indigenous participation in decision making on a national level. Such participation has the potential to benefit everyone in a society. It can help to strengthen democracy, greatly improve the quality of political life, facilitate societal integration and prevent conflict.

While a number of international legal and political documents guarantee the rights of minorities and indigenous peoples to political participation, implementation of these mechanisms has proved challenging. Parliamentary representation of minorities and indigenous peoples is one of the key areas where such challenges arise. Protecting minority and indigenous peoples' rights and ensuring their adequate representation in national parliaments are difficult issues everywhere. Addressing these issues requires context-specific responses but policy makers can benefit from practices and experiences from around the world.

Learning about such practices and experiences was a primary motivation for the IPU-UNDP decision to conduct the 2009 survey of national parliaments, which is the basis of the findings presented in this

The task of recognizing minorities and indigenous peoples and defining their legal status ultimately rests with national parliaments.

report. The survey questionnaire and database can be accessed at www.ipu.org/minorities-e.

The structure of this report is as follows:

- I. Survey Design. Summary of the survey questionnaire format and introduction to different samples of survey respondents.
- II. National-level norms and regulations affecting minority representation. This section of the report is the most extensive. It covers an analysis of electoral mechanisms, parliamentary procedures, and legislative organization.
- III. Parliamentary group-level norms and practices of minority/indigenous inclusion.
- IV. Parliamentarians and their evaluation of the situation of minority/indigenous representation.
- V. Conclusion: challenges ahead for minority/indigenous representation.

91

Ninety-one countries responded to the first part of the questionnaire.

I. Survey design



The goal of the 2009 IPU-UNDP survey was to gain a better understanding of the nature of parliamentary inclusion of minorities and indigenous peoples and to provide a global overview of the state of minority representation in national legislatures.

The questionnaire developed for the 2009 IPU-UNDP survey consists of three parts:

1. The first part of the survey was designed to collect information about national-level rules and regulations. It was to be completed by parliamentary authorities. There was usually one response completed per country for countries with unicameral legislatures and two responses for bicameral legislatures (one for each chamber).
2. The second part of the questionnaire dealt with parliamentary group-level norms and regulations. Representatives of parliamentary groups were respondents.
3. The third part of the questionnaire was designed to collect the opinions of parliamentarians. Individual parliamentarians were respondents. There was usually more than one respondent per country for the second and the third parts of the survey.

The survey was distributed to all national parliaments. Ninety-one countries responded to the first part of the questionnaire. The response rate may have been influenced by a number of factors: some parliaments



A local woman in rural Bujumbura, Burundi, where reserved seat provisions exist for indigenous peoples.

may have considered that they are not concerned by minority/indigenous issues; others may have preferred not to respond due to political sensitivities surrounding the topic. Lack of capacity to answer surveys is likely to have been an obstacle for parliaments with a small parliamentary administration.

In presenting these results, this report focuses on countries rather than chambers (information on countries and individual chambers can be accessed in the IPU survey database). The countries are grouped by region, using the IPU's definition of regions. These regions are: the Americas, Arab States, Asia, Europe, Nordic countries, Pacific, and Sub-Saharan Africa. Forty-five respondents completed the second part of the survey and the 132 respondents completed the third part. Details on the distribution of these categories of respondents according to their country of origin can be obtained from the IPU's survey project team.

Balancing privacy concerns with the need to have reliable information about patterns of exclusion and underrepresentation is essential for moving forward in terms of securing the adequate presence of minorities and indigenous peoples in legislatures.



II. National-level rules and regulations affecting minority/indigenous representation

The parliamentary representation of minorities and indigenous peoples is critically shaped by rules and regulations adopted at the national level. This set of rules and regulations includes:

- Electoral rules and procedures
- Political party laws
- General parliamentary rules
- Special parliamentary bodies and procedures for dealing with minority/ indigenous issues.

40%

About 40 percent of surveyed parliaments provided an affirmative answer to the question about whether some sort of special electoral measures are in use in their country.

2.1 Electoral rules

Electoral rules have a major effect on both the character and extent of minority presence in national legislatures. These rules specify the requirements that candidates for legislative office have to fulfill. They also define institutional channels available for

A significant number of respondents . . . support special electoral measures for minorities and indigenous peoples.

candidates wishing to enter the parliament. Minority candidates might be elected through regular electoral channels or through special procedures designed to facilitate minority inclusion in legislatures. The IPU-UNDP survey allows for an exploration of the use of special electoral procedures around the world.

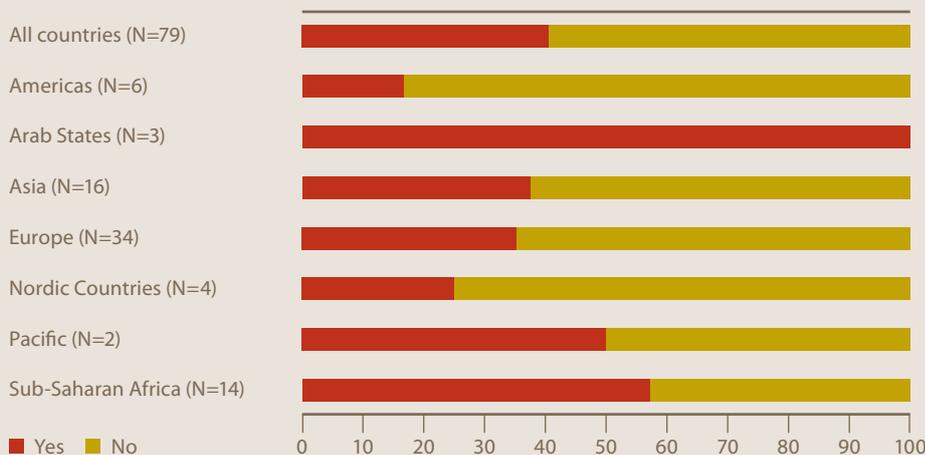
Use of special electoral measures

About 40 percent of surveyed parliaments provided an affirmative answer to the question about whether some sort of special electoral measures are in use

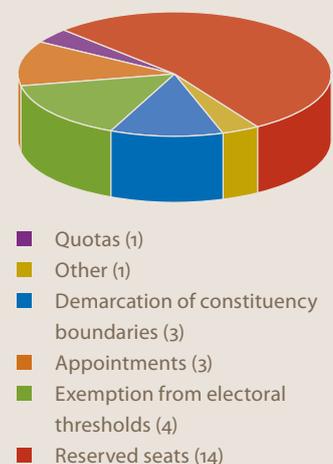


Graph 1: Special electoral measures

Graph 1a: Are any special measures instituted by law to facilitate the presence of parliamentarians from minority/indigenous groups in parliament?



Graph 1b: If yes: what special measures are in use?



II. National-level rules and regulations affecting minority/indigenous representation



- in their country. As graph 1a indicates, the instances of special measures were reported for all geographic regions. The majority of Sub-Saharan African countries that participated in this survey indicate the existence of special measures. Such measures also appear to be relatively widespread in Asia and Europe. Parliaments from each of the three Arab states covered by the survey also gave a positive answer to this question. All these results indicate that electoral measures for ensuring the parliamentary presence of minorities and indigenous peoples are rather frequently used.

Types of special electoral measures

The second part of the question about special measures asked respondents to specify the type of measures used. Results indicate that the reserved seats approach predominates. The responses from the following countries were interpreted as confirming the existence of provisions for reserved seats for minorities or indigenous peoples: Afghanistan, Burundi, Croatia, Cyprus, Denmark, Jordan, Lebanon, Montenegro, Nepal, New Zealand, Panama, Romania, Singapore, and Slovenia. As Graph 1b indicates, other

types of special measures such as exemptions from electoral thresholds, appointments, demarcation of constituency boundaries, quotas, and others were much less frequently used.

Electoral measures: discussion

Overall, the level of positive responses to the first part of the question about electoral rules is rather high given the estimates of the use of special electoral provisions in existing academic literature. The fact that the survey's share of positive answers somewhat overestimates the actual use of such measures is reflected in the fact that not all respondents who chose a 'yes' answer to the question about special measures were ready to provide a justification for their answer and indicate the types of measures used. This suggests that some of the positive answers to the question were perhaps intended to give support to the idea of special electoral provisions rather than indicate that such measures were implemented.

The survey's results indicate that most of the countries which employ special electoral measures do



Special electoral provisions: Romania

Romania introduced a special electoral provision for ethnic minorities in the early 1990s. The provision is often classified as a reserved seat measure but its basis is exemption from the electoral threshold: the Romanian legislation grants one seat in the lower chamber of parliament for each minority group that has failed to obtain representation through the regular electoral procedure. Minorities can send their representative to parliament provided they receive at least 10 percent of the average number of votes needed for the election of one deputy. The limit of one seat per minority group imposed by electoral regulations means that in cases where several organizations from the same ethnic group compete, only the one with the largest number of votes obtains a seat in parliament. There were 11 different ethnic minority groups that took advantage of these provisions and gained reserved seat representation in the 1990 elections. In the following round of elections the number of minority groups represented in parliament increased first to 13 after the 1992 elections, then to 15 after the 1996 elections, and later stabilized at 18 after the 2000 elections. See the IPU-UNDP case study on Romania for more details.



not face strong domestic opposition to this form of affirmative action towards minorities and indigenous peoples. Support for such measures can be strengthened when the measures are periodically reviewed and evidence of their benefits for political participation of minorities is demonstrated. Thus, for example, the 1986 Royal Commission on the Electoral System in New Zealand gave considerable thought to the future of the Maori seats. When the Electoral Act was replaced in 1993, the Maori seats were retained. In Croatia, the government submits to the parliament a report on the implementation of the Constitutional Law on national minorities every year. The existing special electoral measures are deliberated in these reports on a regular basis.

The effectiveness of special electoral measures in ensuring that the interests of minority/indigenous groups are represented varies. The overall design of the political system, social context, and minority/indigenous group characteristics all shape the performance of special electoral measures. Reserved

seats, for example, can provide an effective means of voicing the concerns of minority/indigenous groups but can also be used for the purposes of token representation or cooptation. Further in-depth investigation of the use of special measures can help to highlight the strengths and limitations of different types of measures. Country case studies undertaken under the framework of the IPU-UNDP project start to address these issues in some details.

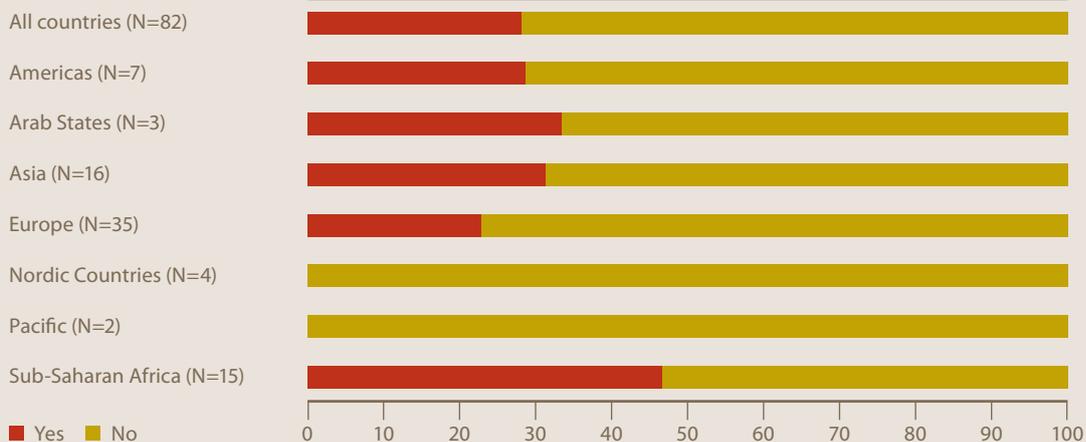
2.2 Party laws

Political parties play a key role in mediating between societal interests and state institutions in the majority of modern states. Parties dominate the process of representation. Rules regulating party formation and functioning can have a major effect on the ability of minority groups to secure adequate and effective representation in national parliaments. The groups' ability to organize politically can be hindered if there are legal restrictions to the formation of



Graph 2

Are there any legal restrictions to the formation of political parties on the basis of ethnic, cultural, religious or linguistic identity?



II. National-level rules and regulations affecting minority/indigenous representation



- political parties on the basis of ethnic identities. States are often tempted to introduce such restrictions as a means of promoting national integration and containing challenges of ethnic fragmentation and separatism.

Legal restrictions on party formation

A relatively high percentage of countries that participated in the survey report legal restrictions to the formation of political parties on the basis of ethnic, cultural, religious or linguistic identity. Twenty-eight percent of countries that responded to this question indicated the use of some sort of legal restrictions. As Graph 2 indicates, such restrictions were most common in Sub-Saharan Africa, a region that faces a large number of challenges related to ethno-cultural diversity management. Almost half of the respondents from this region indicated the existence of legal restrictions in their countries. Around thirty percent of respondents from the Americas, Arab states, and Asia reported the existence of such restrictions. The restrictions are less widespread in Europe and entirely absent in the Nordic countries. No restrictions were reported for the Pacific region. That region, however, is represented in the graph by only Australia and New Zealand, two countries whose ethnic make-up is very distinct from the rest of their region.

In ethnically heterogeneous states, restrictions on the formation of parties on the basis of language, ethnicity or religion are typically justified as a means of avoiding the instability that might arise if such parties were permitted. Minorities then face a choice of seeking representation through mainstream parties or disguising the ethnic nature of the political organizations they create. Further research can help to understand how politically active members of minority communities cope with the restrictions and what the typical effects are of these restrictions on the levels of parliamentary inclusion of minorities. Such research can also help to better evaluate the trade-offs involved in making decisions about imposing legal restrictions on party formation.

28%

A relatively high percentage of countries that participated in the survey report legal restrictions to the formation of political parties on the basis of ethnic, cultural, religious or linguistic identity.

Measures to encourage inclusion of candidates from minority/indigenous groups

The survey also tried to investigate whether there are some legal measures or other forms of guidance that encourage political parties to promote candidates from minority/indigenous groups. Respondents from about 27 percent of countries in the survey provided positive answers to this question. As with the earlier question about the use of special electoral measures, not all affirmative answers to the question should be interpreted as reflecting the actual use of some measures rather than intention or support of the idea. Many respondents who chose a 'yes' answer to the question about measures to encourage parties to promote minority candidates did not provide justifications for their answer and indicate the type of measures used. At the same time, the analysis of answers of those respondents who provided an explanation indicates that such measures are very rarely formalized. More often than not they are informal norms and practices employed by individual parties that seek to be socially and ethnically inclusive.

2.3 Parliamentary procedures

While the extent to which minorities are represented in parliament is mainly determined by electoral and party rules, the effectiveness of minority representation is shaped, to a considerable extent, by parliamentary procedures. Parliamentary rules, norms, and regulations define the internal organization of parliament. They also determine ways in which minority representatives can participate in the legislative decision-making process. Special parliamentary provisions could be in place to facilitate such participation.

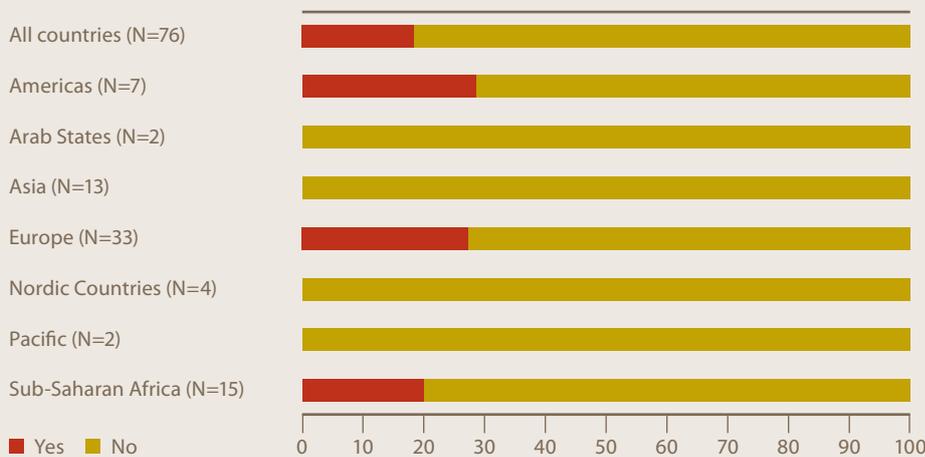
Use of special parliamentary provisions

The survey results suggest that in some important respects the countries' parliamentary procedures appear to take much less note of minority/indigenous groups than the countries' electoral rules. Only 18 percent of parliaments indicated that their internal

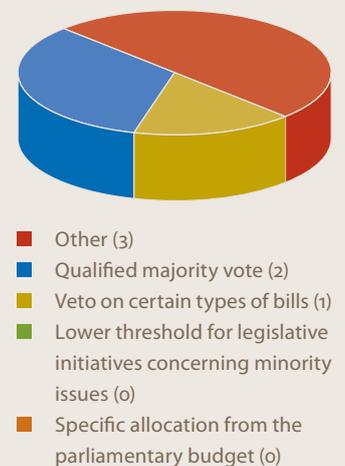


Graph 3: Parliamentary rules and procedures

Graph 3a: Do parliamentary rules explicitly contain any provisions regarding the participation of parliamentarians from minority/indigenous groups?



Graph 3b: If yes: what types of provisions?



rules and procedures explicitly include some provisions regarding the participation of parliamentarians from minority/indigenous groups. As Graph 3a indicates, such provisions were present in parliaments of only three geographic regions: the Americas, Europe, and Sub-Saharan Africa. Less than a third of countries in each region reported the existence of such provisions.

Types of provisions

An even smaller number of respondents specified the exact type of provision used. The answers to the 'other' option, which turned out to be most frequently used by the respondents, included an explicit recognition by parliamentary procedures of the right of minority deputies to set up a minority group. Qualified majority vote and veto on certain type of bills were two other types of provisions that the respondents indicated were used. No affirmative answers were reported with regards to the options of specific allocations from the parliamentary budget or a lower threshold for legislative initiatives concerning minority issues.

Parliamentary procedures: Slovenia

Paragraph 5 of Article 64 of the Slovenian Constitution guarantees the representatives of the two national communities the right of veto in matters that directly concern the communities. Laws, regulations and other acts that exclusively concern the exercise of the constitutionally provided rights and the position of the national communities may not be adopted without the consent of representatives of these national communities. Such a provision is also contained in the Rules of Procedure of the National Assembly, stipulating, in addition to the above, that it is deemed that consent is given if the two deputies of the national communities vote for the law. See the IPU-UNDP case study on Slovenia for more details.



II. National-level rules and regulations affecting minority/indigenous representation



→ Procedures reflecting respect for minority/indigenous rights and customs

A considerably higher share of positive responses was received for another, less specific, question dealing with parliamentary procedures: whether parliamentary rules and procedures contain any provisions that explicitly reflect respect for minority/indigenous rights and customs. Twenty-seven per cent of countries provided a positive answer to this question. These answers came from a majority of the geographic regions specified in this report. These regions are: Americas, Asia, Europe, Nordic Countries, Sub-Saharan Africa. Provisions that were mentioned in responses included the use of languages, official holidays, acceptance of traditional customs and dress. In Norway, for example, February 6th is celebrated as the Saami People's Day – a national “flag day” – and the Norwegian parliament raises the Saami flag on that occasion.

Use of more than one language in parliamentary proceedings

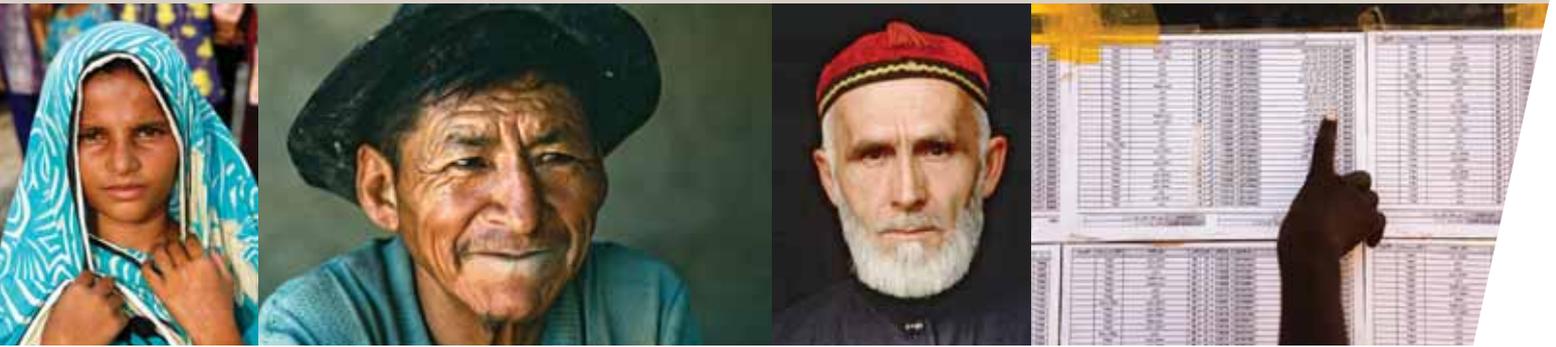
A large number of respondents provided an affirmative answer to a question about whether more than one language is used in parliamentary proceedings. In New Zealand, for example, Maori was given official

Symbolic recognition: Australia

The opening of the 42nd session of Parliament in 2008 marked the first occasion that an official opening of Parliament was preceded by an Indigenous ‘Welcome to Country’ ceremony. The ceremony was led by an elder of the Ngambri people. This ceremony was not required by the standing orders, and took place as a result of consultation between the Presiding Officers and the Government. On 23 June 2010, in response to a House Procedure Committee review, the House of Representatives Standing Orders were changed to formally include an Indigenous ceremony of welcome in future opening days of Parliament.



recognition in the House in 1985. Only English and Maori have the status of official languages in the Parliament, but other languages are used from time to time, particularly in a Member's maiden speech. New Zealand's Parliamentary website can be viewed and searched in English and in Maori. Oaths and Affirmations may be given in English or Maori. A Member may address the Speaker in English or Maori (Standing Order 104). Petitions may be in English or Maori (Standing Order 353). The Speaker may order that bills, reports, petitions and papers presented be translated and printed in another language (Standing Order 366).



Measures addressing minority/indigenous-related awareness and inclusiveness of parliamentarians and parliamentary staff

The survey also asked respondents representing national parliaments whether their legislative bodies have procedures addressing the issues of minority/indigenous-related awareness and inclusiveness of parliamentarians and parliamentary staff. The results point to rather low levels of awareness about these issues in parliaments and suggest that these issues could be an important area for future awareness-raising activities and advocacy work. Survey responses to these questions are summarized in graph 4 below.

Only in about 17 percent of countries that provided responses do parliaments celebrate the International Day of the World’s Indigenous People. About a third of the countries stated that their parliaments had developed a media or outreach strategy for communicating and discussing minority/indigenous issues. A similar share of countries provides specialized training on inclusiveness for parliamentary staff and parliamentarians. The only question to which

the majority of respondents provided a positive answer concerned equipping parliamentary libraries with information on minority/indigenous issues.

2.4 Parliamentary handling of minority/indigenous issues

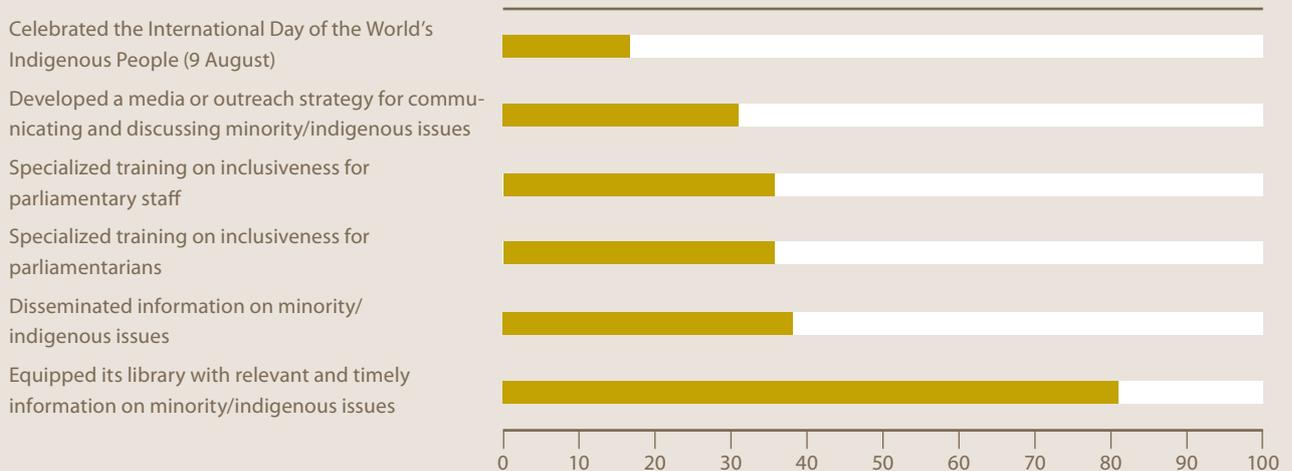
This section provides a brief overview of how parliaments deal specifically with minority/indigenous issues. One indication of whether these issues are



Parliaments . . . can themselves play a major role in diffusing and promoting emerging international norms of protection and inclusion related to minorities and indigenous peoples.

Graph 4

Has parliament implemented any of the following activities? (N=42)



II. National-level rules and regulations affecting minority/indigenous representation



→ recognized as a distinct field or sub-field in legislative policy-making is the existence of parliamentary bodies charged with matters of interest to minorities and indigenous peoples. Other indications include an obligation to consult with minorities/indigenous groups and to allocate parliamentary floor time to discuss minority/indigenous matters.

Specialized parliamentary bodies

The survey results suggest that parliaments frequently have specialized bodies for addressing minority/indigenous matters. Fifty-six percent of countries provided an affirmative answer to the question about the existence of such bodies. In some cases, this may refer to a parliamentary body with a broader human rights mandate, including minority/indigenous matters. The following types of specialized parliamentary bodies were mentioned by survey respondents: commissions, committees, sub-commission, subcommittees. Graph 5 below provides details on the regional distribution of answers.

Parliamentary bodies for minority issues were reported for all but one region (the Arab states).

The proportion of countries with such bodies was relatively high for each of the regions reporting their existence. At least 40 percent of countries in these regions reported having specialized parliamentary bodies for minorities/indigenous people. These results point to a considerable degree of institutionalization of parliamentary procedures for dealing with minority issues across States in different geographic regions.

Obligation to consult with minorities and indigenous peoples

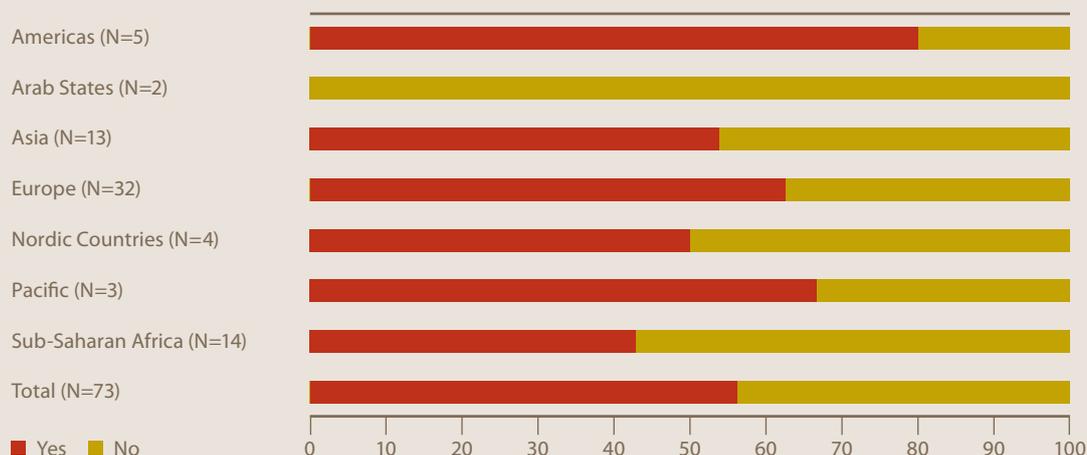
A significantly lower, but still considerable, proportion of countries report that their parliaments have some sort of an obligation to consult with minorities and indigenous peoples. Thirty-two percent of countries provided a positive response to this question. Positive responses came from the same six regions for which the existence of specialized parliamentary bodies was reported. The rate of positive responses to this question varied across the regions much more than the rate of positive responses to the previous question. In describing how the process of consultations is organized,

56%

The survey results suggest that parliaments frequently have specialized bodies for addressing minority/indigenous matters.

Graph 5

Parliamentary bodies on minority/indigenous issues





Parliamentary consultations: South Africa

The Traditional Leadership and Governance Framework Act, 2003, provides that any parliamentary bill pertaining to customary law or customs of traditional communities must, before it is passed by the House of Parliament where it was introduced, be referred by the Secretary to Parliament to the National House of Traditional Leaders for its comments. The National House of Traditional Leaders must, within 30 days from the date of such referral, make any comments it wishes to make.



the respondents mentioned holding hearings, inviting written submissions, informal expert meetings, and visits to constituencies by members of parliament.

Minority/indigenous issues in plenary meetings of parliament

In terms of having minority/indigenous issues discussed in the plenary meetings of parliament, the vast majority of responses indicate that such plenary debates take place on an occasional basis, when such issues arise. Only six countries appear never to hold plenary debates on matters that are explicitly framed in terms of minority/indigenous concerns. There were also three instances when the respondents stated that their parliaments hold plenary debates on minority/indigenous issues on a

A young girl working in the market in Oaxaca City, Mexico, where the parliament holds a plenary debate on minority/indigenous issues on a regular basis.



regular rather than on an occasional basis. These responses came from the parliaments of Croatia, Hungary, and Mexico.

III. Parliamentary group-level norms and practices of minority/indigenous inclusion



The 2009 IPU-UNDP survey also solicited views and opinions on minority related matters from parliamentary groups that function in national parliaments. The respondents in this case were representatives of such groups, one representative per group. Answers were received from 45 parliamentary groups. These groups come from 24 countries in the Americas, Asia, Europe, the Nordic countries, the Pacific, and Sub-Saharan Africa. While hardly representative of all parliamentary groups, this sample gives an opportunity to gain some insights into parliamentary groups' practices when it comes to minority/indigenous issues.

Besides providing the range of minority-related questions, the survey also asked group representatives to indicate whether their groups are members of one of the major international party families. This allows some tentative comparison about how groups of similar ideological standing approach minority issues. The survey offered a list of four such international party groups: Centrist Democratic International, International Democratic Union, Liberal International, Socialist International. There was also an 'other' option available as an answer.

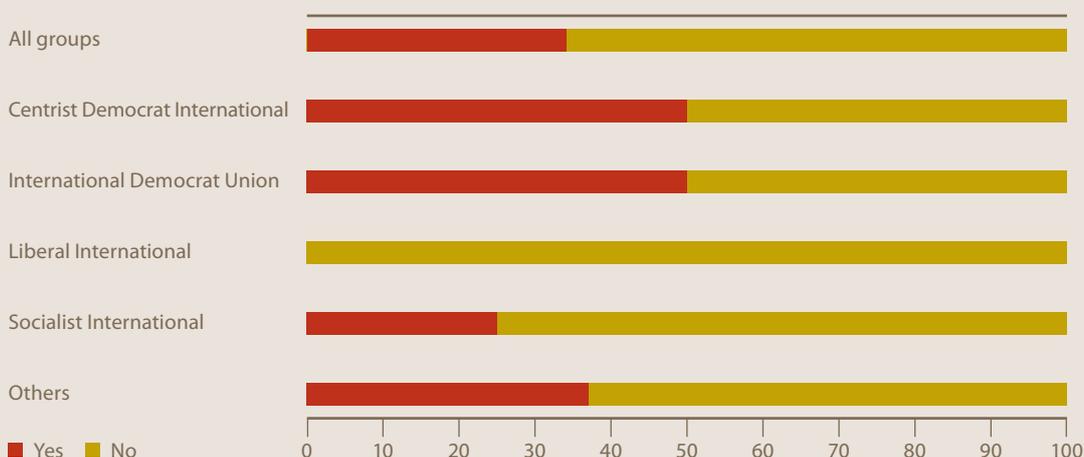
3.1 Use of special measures by parliamentary groups

About a third of parliamentary groups polled by the survey provided an affirmative answer to the question about whether a group adopted special measures to promote the presence of minorities/indigenous groups in parliament. Graph 6 provides details on the distribution of answers across party families.

The results indicate that half of the parliamentary groups that are members of the Centrist Democratic International or the International Democratic Union reported the use of special measures. The share of Socialist International groups that adopted special measures turned out to be lower, which is somewhat unexpected given the traditional position of leftist parties as promoters of the causes of disadvantaged groups. Neither of the surveyed liberal groups claimed the use of special measures, which appears to be consistent with liberal ideological postulates of equal and undifferentiated treatment.

Graph 6

Has your parliamentary group adopted special measures to promote the presence of minority/indigenous groups in parliament? (N=45)





The 'other' category proved to be the most common in the survey sample and included green parties, Christian oriented parties, far left parties and parliamentary groups for which respondents did not provide an ideological orientation. Almost 40% of respondents in the 'other' category reported that their groups adopted special measures for minorities.

Most of the respondents that provided positive answers, however, did not offer any specific description of such measures. The typical answer to the invitation in the survey to describe the measures that a group adopted was to refer to the general commitment of the party to be socially inclusive. The responses to this question thus should be treated as a reflection of a party's overall principles rather than as an indication of extent to which some specific practices of minority/indigenous inclusion are common.

3.2 Specific commitments and actions

The finding that special provisions and practices are rarely used is confirmed by respondents' answers to other questions that inquire about specific commitments and actions. Graph 7 below summarizes responses to questions about the official positions of political parties on minority issues, their engagement in consultation processes with minority groups,

and their adoption of mechanisms to promote the participation of people from minority/indigenous groups in the policy-making process. The last of these questions is the one that requires the most specific commitments. As the graph indicates, this question is also the one that received the smallest share of positive answers.

3.3 Presence of minorities/indigenous peoples in decision-making structures of parliamentary groups

The survey's results also point to a limited presence of minorities/indigenous peoples in the decision-making structures of parliamentary groups. The answers to the question about how well minorities/indigenous peoples are represented in these structures were distributed in the following way: 19 percent of respondents indicated that people from minority/indigenous backgrounds were very well represented, 43 percent of respondents – fairly represented, 14 percent – not very well represented, and 24 percent – not represented at all. Thus more than a third of parliamentary groups surveyed indicate a lack of minority representation in the decision-making structures of their organizations.

Graph 7

Does your parliamentary group have . . . ? (N=45)





IV. Parliamentarians and their evaluation of the situation of minority/indigenous representation

Individual parliamentarians constituted a final group of respondents surveyed in the course of the IPU-UNDP project. Responses of parliamentarians provide an opportunity to assess problems of minority/indigenous representation in parliament from a different angle. One hundred and thirty-two parliamentarians completed the survey. They were drawn from the national parliaments of 48 countries in all seven geographic regions specified in this project. Some of these countries were represented by more than one respondent. Sixty-five percent of respondents identified themselves as members of a majority and 35 percent of respondents as members of minority/indigenous groups in their respective countries.

parliaments. Only 20 percent of parliamentarians think that these groups are very well represented. Another 30 percent believe that minority/indigenous groups are fairly represented. When the sample is limited only to respondents who identified themselves as members of minority/indigenous groups, the share of those who consider these groups as not very well or not at all represented rises to 60 percent. These results underscore the very reason for conducting this survey and for exploring various options that can help to increase the inclusiveness of national legislatures.

4.1 The extent of minority/indigenous representation

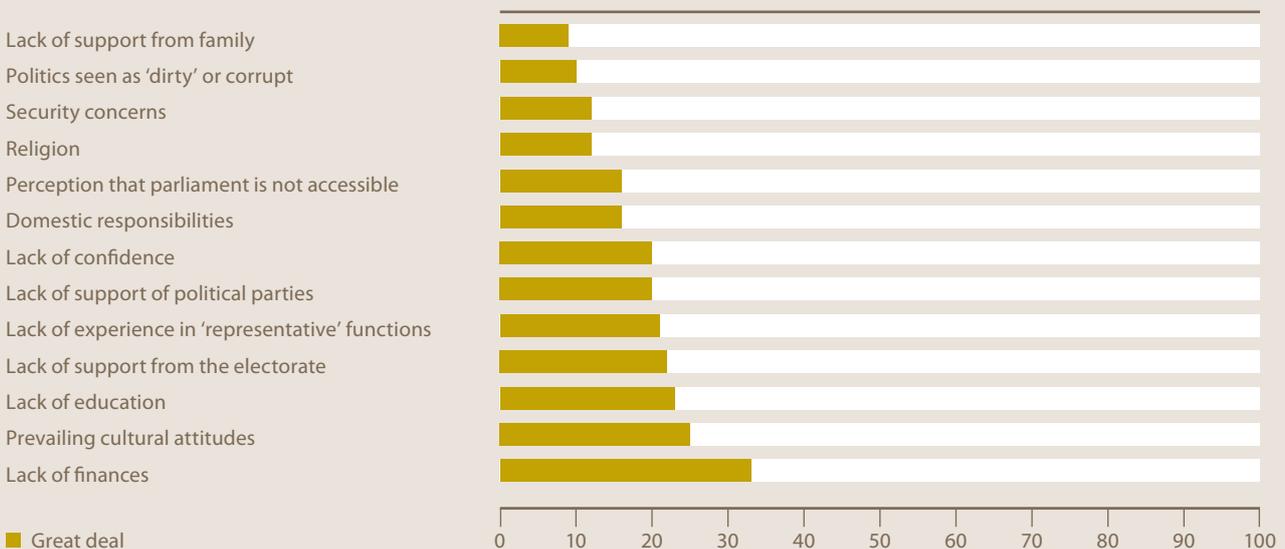
More than 45 percent of respondents consider that minority/indigenous groups are not very well or not at all represented in the composition of their

4.2 Obstacles to minority/indigenous group members entering politics

The survey results identify a number of key obstacles and barriers that minority/indigenous group members face in entering politics. The graph below

Graph 8

How much influence, in your opinion, do the following have in deterring people from minority/indigenous groups from entering politics? (N=116)





provides the summary of responses to a question about how important each item is in a list of potential obstacles. The respondents were asked to rate the importance of each item on the following scale: a great deal, a fair amount, not very much, none, don't know. The graph reports the shares of positive responses to the 'great deal' option.

Lack of finances, in the view of parliamentarians, appears by far the most important deterrent to members of minority/indigenous groups from entering politics. More than 20 percent of respondents also named the following factors as holding a 'great' deal of importance: prevailing cultural attitudes regarding the roles of minorities and indigenous peoples in society, lack of education, lack of support from the electorate, lack of experience in 'representative' functions. Each of these factors might be more or less amenable to policy interventions. Targeting some of them might also have effects on others. For example, improvements in education can improve the financial standing of minority group members

Parliaments as institutions can do more to learn about minority/indigenous groups and the issues they face, to reach out to these groups, and to extend some procedural accommodation of their participation in legislative process.

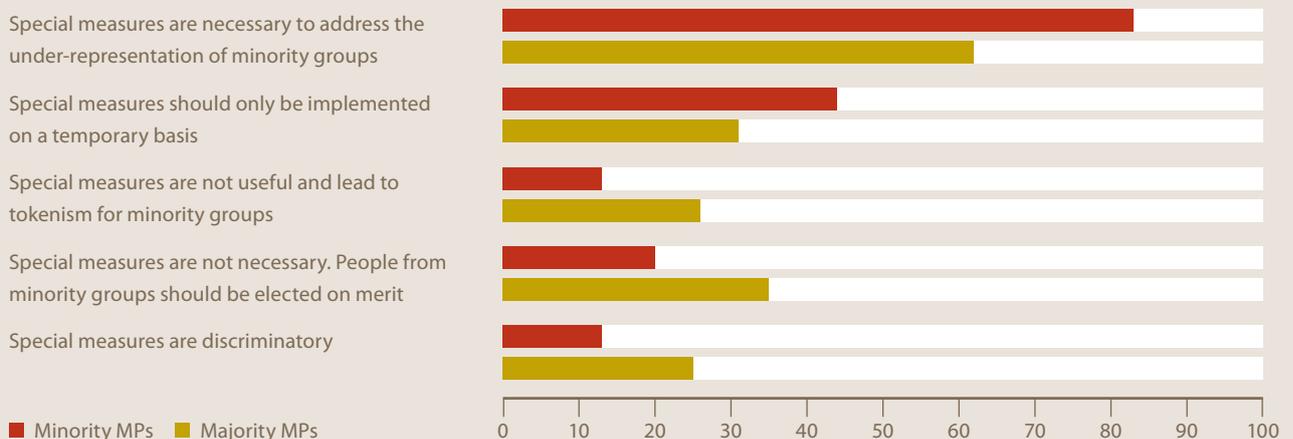
and can help to combat more effectively negative cultural stereotypes.

Some interesting differences in perception of deterrents appear when the sample is split according to the majority/minority status of respondents. A larger percentage of respondents in the minority/indigenous sub-sample as compared to the majority sub-sample rate almost all deterrents listed above as holding a 'great deal' of importance. While a lack of finances



Graph 9

Support for special measures to ensure the presence of parliamentarians from minority/indigenous groups (strongly agree + agree) (N=122)





IV. Parliamentarians and their evaluation of the situation of minority/indigenous representation

→ is the most frequently mentioned obstacle both in majority and minority sub-samples, the ordering of other factors differs somewhat. The lack of education item becomes the second most frequently mentioned item for minority/indigenous sub-sample respondents. Parliamentarians from minority backgrounds also rate lack of experience in 'representative' functions considerably higher in the order of obstacles than parliamentarians without such backgrounds.

4.3 Support for special electoral measures

Strong support among the respondents for various forms of special electoral measures is another important finding of the survey. Examples of special measures to ensure the parliamentary presence of minorities that were listed in the question included reserved seats, quotas, appointments, exemption from electoral threshold, demarcation of constituency boundaries, etc. The following answer options were available for the respondents: strongly agree,

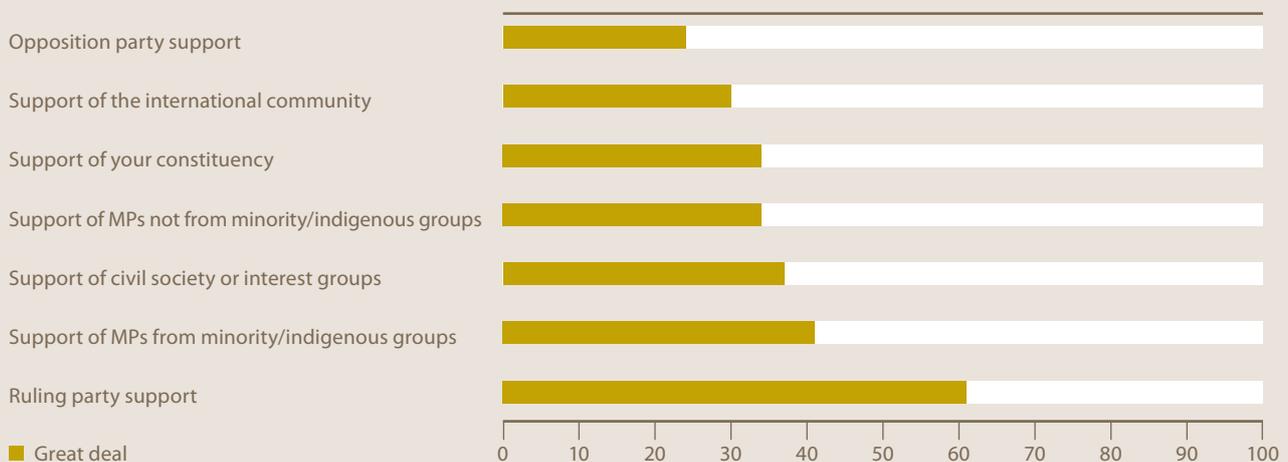
agree, neither agree nor disagree, disagree, strongly disagree. Graph 9 below provides a sum of strongly agree and agree answers to a set of related questions about special measures.

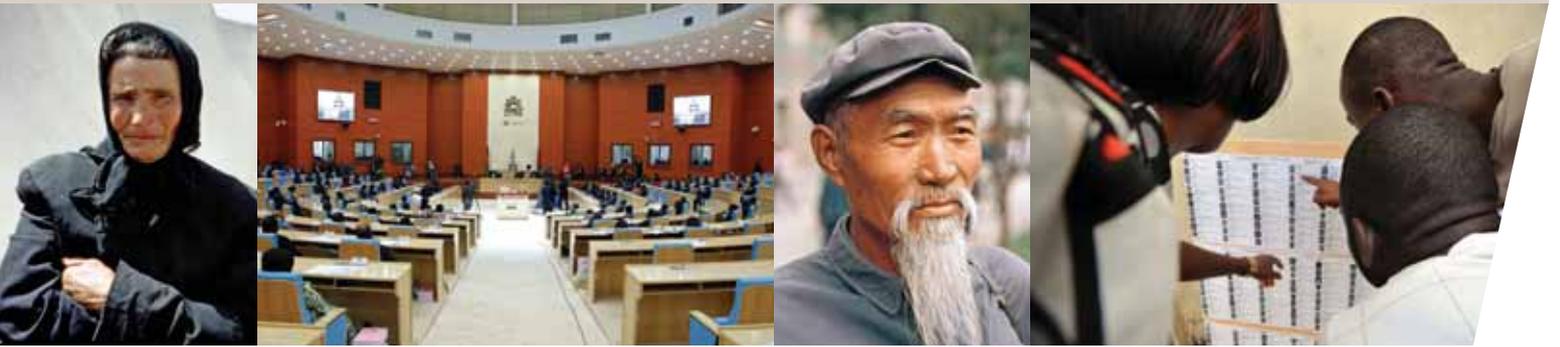
A large majority of parliamentarians coming from both majority and minority/indigenous groups strongly agree or agree that special measures are necessary to address the under-representation of minority/indigenous groups. A much smaller percentage of both types of respondents (less than half for each type) support a statement that special measures should only be implemented on a temporary basis. Relatively few respondents supported the last three statements reported in Graph 9. These statements question in one or another way the usefulness and fairness of special provisions.

The graph also reveals considerable differences between majority and minority/indigenous deputies in the levels of support for each of the statements. The percentage difference is the largest for the first

Graph 10

How much influence does the following have in affecting the adoption of legislation regarding minorities/indigenous groups? (N=125)





statement about special measures being necessary to address under-representation. Although a much smaller share of majority deputies in comparison to minority deputies agree with it, the statement still commands the support of 62 percent of majority deputies. While a significantly larger share of majority deputies support each of the last three statements that question the use of special measures, for neither of these statements does the share of majority deputies that support them exceed 35 percent. Overall, the results obtained from this sample of respondents suggest that the need for special measures is generally accepted by parliamentarians of both majority and minority backgrounds.

A significant number of respondents . . . support special electoral measures for minorities and indigenous peoples.

4.4 Factors influencing adoption of legislation on minority/indigenous issues

The support of political, and ethnic, majorities is crucial for success in passing minority-related legislation through the parliament. Survey results confirm this intuitive understanding of decision-making processes in modern legislatures. The survey asked respondents to evaluate the importance of a number of factors that shape the chances of legislative success of minority/indigenous-related bills. Graph 10 reports the shares of positive responses to the 'great deal' answer option.

Ruling party support is reported to be by far the most important factor in determining the legislative success of minority/indigenous-related initiatives. This highlights the need for minorities and indigenous peoples to work with ruling parties. Such work can be conducted from inside ruling parties when minorities and indigenous peoples are represented in the ranks of mainstream parties. Alternatively, when minority/indigenous representatives are not members of the political forces that control the government, obtaining a ruling party's support on minority/indigenous issues involves negotiations and bargaining in parliamentary committees and on the floor. The effectiveness of intra-party as opposed to legislative floor negotiations on minority/indigenous-

related issues is an important area for future investigations into the parliamentary representation of minorities and indigenous peoples.

The support of civil society or interest groups is also listed, somewhat unexpectedly, among the three most highly rated factors of legislative success of minority/indigenous-related initiatives. While these groups reside outside legislative institutions they apparently have a considerable impact on how minority/indigenous issues are addressed inside the legislatures. This finding suggests that parliamentarians believe in a strong connection between what is happening in terms of minority and indigenous rights promotion outside the legislative arena and inside the parliament. Getting public opinion on the side of minority/indigenous inclusion and ensuring societal support for minority causes might significantly help in constructing majority coalitions necessary for the passage of minority/indigenous-related initiatives inside the parliament.

V. Conclusion: challenges ahead for minority/indigenous representation



The survey's major findings and examples of positive practices were presented throughout the text of this report. This final section provides an overview of the challenges for minority/indigenous representation revealed by the survey data. While some of the problems that individual parliaments face might be country-specific, there are a significant number of topics and themes that appear recurrent in different national contexts. Some common challenges arise with respect to issues of minority recognition and legal status, positive electoral measures, parliamentary procedures for addressing minority issues, policy accommodation of minority and indigenous groups, issues of media and civil society awareness. This conclusion briefly touches on each of these themes.

5.1 Recognition of ethno-cultural diversity

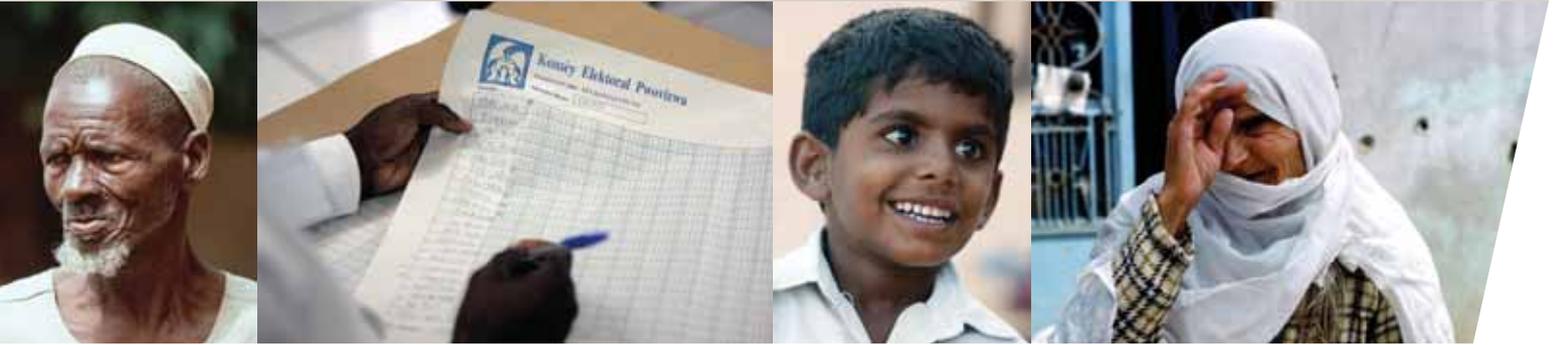
Efforts to promote inclusive parliaments presuppose recognition of ethno-cultural diversity. Survey responses indicate that issues of recognition are challenging in some national contexts. Claims of individuals and groups about the distinctiveness and autonomy of their identity, culture, and way of life have to be recognized by the States. Recognition of the rights of minorities and indigenous peoples is an important precondition for the effective participation of minorities and indigenous peoples in public life. The task of recognizing minorities and indigenous peoples and defining their legal status ultimately rests with national parliaments.

5.2 Shortages of data on parliamentary representation

There is a problem of availability of data on minority/indigenous inclusion in parliaments. Only forty-one out of ninety-one parliaments that participated in the survey provided information on the precise number of minority representatives in parliament. The fact that other parliaments did not answer this question suggests that many parliaments do not collect such information. The lack of efforts to record the number of minority representatives creates a fertile environment for proliferation of patterns of under-

Citizens wait to exercise their constitutional right to vote in presidential and provincial council elections in Afghanistan, where reserved seat provisions exist for minorities.





representation. Minorities and indigenous peoples face some similar challenges to those that women have in securing parliamentary representation. Collecting information on minority/indigenous inclusion as compared to gender inclusion is much more difficult in many national contexts.

The unresolved issues of recognition and legal status are one source of difficulty for obtaining data on minority/indigenous inclusion in parliaments. Personal data protection and privacy laws are other important factors that complicate gathering accurate and reliable information on minority/indigenous presence in national legislatures. Balancing privacy concerns with the need to have reliable information about patterns of exclusion and underrepresentation is essential for moving forward in terms of securing the adequate presence of minorities and indigenous peoples in legislatures.

5.3 Special electoral measures

The polling of parliamentary groups and individual deputies revealed that a significant number of respondents in both groups support special electoral measures for minorities and indigenous peoples. At the same time, there appears to be a limited knowledge at an institutional level about the electoral options available – responses from some parliaments indicate that respondents are not aware of special electoral measures or do not know how to classify them. A broader circulation of information about electoral institutions and practices intended to empower minority/indigenous representatives with a voice and presence in national legislatures might be required in order to encourage wider adoption of such measures.

5.4 Political party recruitment

While recognizing the role of special electoral measures, some respondents emphasized the duties and responsibilities of political parties in ensuring the



V. Conclusion: challenges ahead for minority/indigenous representation



- inclusive nature of national assemblies. A number of respondents listed minority/indigenous recruitment as an important challenge for their political parties. Even in the absence of special provisions in electoral laws, parties can pursue inclusive recruitment and promotion policies. This requires articulation of a normative commitment and allocation of material resources to the tasks of establishing dialogue with minority/indigenous communities, identifying and preparing candidates from these communities for political office.

5.5 Institutional responsibility of parliaments

In terms of parliamentary procedures, challenges of organizing consultation and outreach efforts feature prominently in survey responses. In less developed countries, the lack of material resources available for parliamentarians interested in doing outreach work with minority/indigenous communities, some of which tend to reside in remote areas, was frequently reported. While parliaments in countries with higher levels of economic development do not face similar shortages of material resources, the respondents from these countries report that their parliaments have difficulties in finding time for organizing consultation and outreach efforts. Parliamentary internal rules and procedures, across countries from different regions and different levels of development, also appear to only very rarely include special measures for the consideration and passage of minority/indigenous-related initiatives.

Significant progress has to be made in terms of awareness of minority/indigenous issues among parliamentarians and parliamentary staff. The issue of inclusiveness of parliamentary staff does not seem to receive significant attention in the workings of legislatures either. Overall, survey responses suggest that parliaments as institutions can do more to learn about minority/indigenous groups and the issues they face, to reach out to these groups, and to extend some procedural accommodation of their participation in legislative process.

5.6 Policy accommodation

There is a considerable degree of understanding by survey respondents that the substantive interests of minority/indigenous groups range across a number of policy areas. There is also a clear identification of policy intervention priorities to address the plight of the most disadvantaged and marginalized groups. Thus, for example, emphasis on education features in many answers from different groups of respondents to the questions about challenges of minority/indigenous inclusion. Some of the policy areas, such as special land rights or the extent of minority language use in public sphere, are, however, inherently controversial and require much discussion and deliberation with majorities.

5.7 Parliaments and societal awareness of minority/indigenous issues

Addressing the concerns or opposition of the general public to substantive policies and procedural measures intended to benefit minorities and indigenous peoples requires concerted efforts to raise awareness about minority/indigenous issues in civil society. A large number of survey respondents emphasized the importance of awareness efforts which can promote attitudinal change in society at large and can secure public support for minority causes. This suggests that parliamentary respondents see awareness raising activities outside the parliament as an important tool for achieving subsequent changes inside the parliament. At the same time parliaments, as key arenas for deliberation and discussion in modern polities, can themselves play a major role in diffusing and promoting emerging international norms of protection and inclusion related to minorities and indigenous peoples.



About the project

Promoting inclusive parliaments: The representation of minorities and indigenous peoples in parliament



A young voter shows the ink-stained tip of his finger, proof of having voted in the elections in Najaf, Iraq, on 31 January 2009.

Many situations around the world demonstrate that an adequate representation of minorities and indigenous peoples in policy- and decision-making by society is instrumental in breaking the cycle of discrimination and exclusion suffered by members of these groups, and their ensuing disproportionate levels of poverty.

Yet minorities and indigenous peoples often remain excluded from effective participation in decision-making, including at the level of the national parliament. One of the criteria for a democratic parliament is that it should reflect the social diversity of the population. A parliament which is unrepresentative in this sense will leave some social groups and communities feeling disadvantaged in the political process or even excluded altogether, with consequences for the quality of public life or the stability of the political system and society in general.

The Inter-Parliamentary Union (IPU) and the United Nations Development Programme (UNDP) are undertaking a project which aims to understand and promote the effective representation of minorities and indigenous peoples in parliament. The objectives of the project are to:

- Increase knowledge of the representation of minorities and indigenous peoples in parliament
- Provide tools for parliaments and other stakeholders to promote inclusive parliaments
- Build capacity to advocate for more inclusive parliaments

The project is funded by the Canadian International Development Agency (CIDA) for the period 2008-2010. More information is available at:

www.ipu.org/minorities-e and

<http://www.agora-parl.org/node/1061>.



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