



INTERNATIONAL COUNCIL SUPPORTING FAIR TRIAL and HUMAN RIGHTS

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ICSFT AT THE 8th SESSION OF THE FORUM ON MINORITIES

EIGHTH SESSION OF THE FORUM ON MINORITY ISSUES ON "MINORITIES IN THE CRIMINAL JUSTICE SYSTEM"

Geneva, Switzerland

Palais des Nations

Side Event

25 November 2015

1:00 -3:00pm

"Measures to promote equal treatment of minorities within the criminal justice system in the Gulf Region"



The panelists: from right to left, Mr. Jawad Fairouz, Mr. Mohammed Serkal, Mr. Kamel Zozo

As part of its effort to promote and protect Human Rights and democracy in the Middle East, ICSFT along with the co-sponsoring organizations organized a side event in parallel to the 8th session of the Forum on Minority issues at the Palais des Nations Geneva.

Despite the existence of a myriad international legal and policy instruments that promote and protect human rights, equality, and non-discrimination, discrimination against individuals or groups belonging to different national or ethnic, religious and linguistic minority is widespread in the Gulf Region.

Therefore this timely side event was organized to highlight the barriers faced by minorities and explore the way forward so as to end discrimination and redress past discrimination suffered by minorities in the gulf region. Further ICSFT and the co-sponsoring organizations strongly believe that that inclusive multi-stakeholder dialogue is mandatory for the comprehensive implementation of minority rights and the existence of adequate institutional and policy frameworks that can effectively contribute to the elimination



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of all forms of discrimination against members of minority communities, as well as promote their full equality and access before the law without any discrimination.

As such the side event presented an important opportunity to assess the institutional barriers embedded in to social and legal intersection faced by minorities that belong to different national or ethnic, religious and linguistic groups in the Gulf Region, and to identify specific gaps and innovative and practical recommendations to end all forms of discrimination against members of minority communities in the criminal justice system in the gulf region.

The side event took the format of an interactive dialogue with one moderator and three panelists. The panel consisted of Mr. Jawad Fairouz (Director of Salam and former Bahrain MP), Mr. Mohammed Serkal (UN coordinator on minorities issues for Salam), Mr. Kamel Zozo (Director of Sheba Rights).

Mr Fairouz's presentation focused on the discrimination of Shia minorities in Bahrain and gave an overview of the current issues including inter alia, Strip of nationality, Statelessness, detention & torture. Mr. Fairouz highlighted the fact that the human rights situation in Bahrain has deteriorated sharply after democratic uprising. Finally he urged the Bahraini government to implement international conventions and UNHRC recommendations on the rights of minorities.

Mr. Serkal focused on the protection of Shia minority within judiciary system in the Gulf region with a specific focus on discrimination against Shia-Muslims in the Gulf. He also gave an in-depth analysis of the root causes of discrimination of minorities in the criminal justice system, and put forward practical recommendations. The salient recommendations include, build accountability into the exercise of discretion by Police and Prosecutors, develop national standards for accrediting law enforcement agencies, improve training of current and incoming police officers to bring police departments into compliance with the national standards, and improve the diversity of law enforcement personnel.

Mr. Kamel Zozo called upon the international community to urge the governments in the Gulf region to ensure the equal treatment of minorities.

The presentation was followed by an open discussion on how to halt the root causes of discrimination of minorities in the criminal justice system, in particular discussions emphasized on the urgent need for education to raise awareness amongst the masses.

Finally the following recommendations were made to improve the situation of minorities in the criminal justice system in the Gulf Region.

- Governments' in collaboration with relevant stake holders have to collect comprehensive and disaggregated data on the involvement of persons belonging to minority groups in all aspects of the administration of justice in order to bring more visibility to the issue and raise the level of accountability and transparency
- Compulsory training and education of law enforcement and judicial officials in human rights and minority rights, including in the principle of non-discrimination and in cultural competency, is a



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crucial element of a functioning judicial system, which should be designed to foster greater tolerance and inclusivity

- Establish mechanisms that will ensure inclusive dialogue and consultation with and participation of minorities
- Creating synergy amongst relevant treaty bodies such as, Special Rapporteurs and Working Groups on minority issues, education and culture, on cross cutting thematic areas for a mutually reinforcing outcome
- Creating a mechanism that will allow the participation of minorities in the administration of justice. As such, recruitment, promotion and retention of members of underrepresented minorities in the police, the judiciary, prosecution services, the legal profession, and prison personnel etc.
- Combating bias and discrimination in the criminal justice system requires a multi- stakeholder approach. In this regard creating the synergy amongst civil society, minority communities and religious leaders, national human rights institutions and political leaders, is fundamental.
- International technical support for States in designing and implementing independent oversight and accountability mechanisms for the police and the judiciary in accordance with United Nations standards and norms and other relevant international and regional instruments with a view to advancing full equality before the law without any discrimination.

Several delegations and international NGOS were in attendance including, but not limited to, Permanent Mission of Spain to the UN, Permanent Mission of U.S.A to the UN, Permanent Mission of Israel to the UN, Permanent Mission of Germany, Permanent Mission of Angola, Permanent Delegation of EU to the UN, Human Rights watch, and CIVICUS.

In addition to the organization of the side event, ICSFT also organized bilateral meetings with different delegations including, Delegation of Venezuela, Austria and Russia, and discussed the various discriminatory mechanisms and patterns in the different stages of the criminal justice processes in Gulf countries with the view of brainstorming on practical ways for the comprehensive implementation of minority rights in the criminal justice system and establishing sustainable contacts for further collaboration.