

11. WHAT DO YOU THINK ON THE NOTION AND THE CONCEPT OF MINORITY RIGHTS IN INTERNATIONAL LAW? COULD IT BE A RESPONSE TO THE REALITY AND PROBLEMS OF THE PEOPLES IN YOUR COUNTRY? IN OTHER WORDS, DO THEY COVER THE REALITY IN YOUR COUNTRY FROM THE VIEW OF THE STATE, FROM THE VIEW OF PEOPLES?

<p>11.1. Professor Dr. Carmen Thiele - Germany</p>	
<p>11.2. Professor Juliano Benvindo - Brasil</p>	
<p>11.3. Catherine Willis-Smith/LL.M Candidate – South Africa</p>	
<p>11.4. Dr. Jur. Marton SÜLYÖK - Hungary</p>	
<p>11.5. Benjamin Danpullo, LL.M - Nigeria</p>	
<p>11.6. Professor Dr. THIO Liann - Singapore</p>	
<p>11.7. Prof. Dr. iur Yiren Lin - Taiwan</p>	
<p>11.8. Dr. Sri Wahyun Kadir - Indonesia</p>	<p><i>Agree, for example there are rules about the issue of circumcision for men and for women in a culture, but there is no equation so that this is still a contradiction in international law. So, if this is planned to be included in international law, it will be even better.</i></p> <p><i>Could the international regulations/treatments be a response to the reality and problems of the peoples in your country?</i></p> <p><i>It can, if it involves very large international problems such as terrorism, genocide or extraordinary crimes, then international law can intervene in this case for a country. However, when it comes to human rights issues that have been regulated in the rules of each country and become the country's law, then international legal intervention will not be able to enter because each country</i></p>

	<p><i>has the right to solve its own problems and cannot be intervened by the state or even international law. Because every country has its own dignity and does not want to be interfered with by foreigners to solve domestic problems,</i></p> <p><i>In other words, do they cover the reality in your country from the view of the state and the view of peoples?</i></p> <p><i>I don't know about this, because as far as I know, Indonesia is very open to any information and it's all very accessible about anything. There is no government effort in a country to cover any problems, especially at this time, all countries in the global system can see and get any information about a country. And it is very open to be criticized or given input. In this case, diplomatic law is very important. Where Indonesia can explain from diplomatic representation to all countries what happened.</i></p>
<p>11.9. Professor Marina Calamo Specchia - Italy</p>	<p><i>The international protection of minorities stems from the need to offer special protection to those groups of individuals united by the communion of language, ethnicity, culture and religion that became evident following the dismemberment of the large multinational states at the end of the First World War and the decolonization after the Second World War. The protection provided by international documents goes from the right of self-determination of peoples to the right to profess one's religion, to practice one's own language.</i></p> <p><i>To make these rights effective a fundamental role play the development of supranational jurisprudence, especially through the decisions of the EDU Court binding on the State to which they are addressed and for Italy intended as an interpretative instrument of the European Convention, as established by the sentences of the Italian Constitutional Court n. 348 and 349 of 2007.</i></p>
<p>11.10. Josef Martin Zielinski Flores - Peru</p>	<p><i>I have a very personal perception about minority legislation. In principle, if a constitutional text recognizes and protects the individual freedoms and dignity of the person, it is assumed that he is doing it for all without exception, leaving aside origins, race, sex, sexual tendency, religion, etc. All minority legislation is a form of positive discrimination and all types of discrimination lead us to inequalities and these can lead to conflicts. What the state must do is to promote a tolerant and respectful vision in all its citizens and not forget that the wealth of a nation is based on its diversity.</i></p>

<p>11.11. Dr. Martín Risso Ferrand – Uruguay</p>	<p><i>The question is very broad. The regulations exist, they seem enough, but difficulties appear in the application of said regulations.</i></p>
<p>11.12. Professor Dr. Shinar Adam – Israel</p>	<p><i>I'm not an expert in international law so prefer not to answer this question.</i></p>
<p>11.13. Assist. Professor Sombhojen Limbu – Nepal</p>	<p><i>Some human rights are collective rights instead individual rights. All collective rights are constituted under minority rights. Dignity for human being such as freedom of chooses, decisions, and make development based on their own decision are always priority concern of Int. Laws. We consider these rights are essential for minority community in Nepal.</i></p> <p><i>International documents are basic foundation to promote and protect minority rights and party state should respect such rights Nepal is no exception in both on issues of minority and a party of signature country.</i></p> <p><i>My Country has accountable to preserve such rights without progress their status we would not able to protect them in terms of local ground or international eyes.</i></p>
<p>11.14. Suzan Tavares da Silva –Portugal</p>	<p><i>I'll entirely disagree with that approach. I'm afraid its results are disastrous, generation a "balkanization" in national societies because it pushes all citizens to need of being part of a group, defeating the homogenous treatment founded in the basic idea of human rights: all human beings are equal.</i></p>
<p>11.15. Assist. Professor Zewdu Mengesha - Ethiopia</p>	<p><i>I think the international law is not yet come up with a detail rules on minority rights. So it needs effort to develop this right. One of the challenges is the balance between self-determination rights of these people and that the sovereign rights of the states. This challenge together with the newness of the field to the international human right law might be difficult for the enforcement of this right.</i></p>
<p>11.16. Dr. Alexander Kim - Russia</p>	<p><i>It depends of situation.</i></p>
<p>1.17. Prof. Dr. Vasanthi Nimushakavi - India</p>	
<p>11.18. Massimiliano Buriassi - Italy</p>	

<p>11.19. Professor Dr. Ahmed Aubais Alfatlawi - Iraq</p>	<p><i>I think that each minority in the world ,has different characteristics than the other. In same regard the International law cannot regulate them in a realistic way. Yes, the international law can restrict criteria for defining the minority and classify levels of protection, as well as international mechanisms that can consider abuses that may be curtailed.</i></p>
<p>11.20. Professor Dr. Hyungnam Kim - South Korea</p>	<p><i>I think minority rights in international law mean refugee's rights and very small countries' rights in UN. As above mentioned, much international regulations and documents including 'International Covenants on Civil and Political Rights 1966' have already covered the reality in Korea.</i></p>
<p>11.21. Associate Professor Tomáš Ľalík, Ph.D - Roman Lysina, Ph.D Candidate - Slovakia</p>	<p><i>There are some international treaties aimed at protection of minority rights e.g. within the Council of Europe. However, their effectivity is dubious. No I do not think so, that any international treaty can heal the problems of domestic social reality as law in general is very limited tool for changing social reality that has cultural roots.</i></p>
<p>11.22. Professor Dr. Mohammad Javid Javid - Iran</p>	<p><i>There are diferent ideas about the rights of minorities or as it was called before "indigenous right" . It seems mentioning the word minority by itself at first glance, depicts the discrimination and discriminatory view as HR declaration rejects any sort of discriminatory thoughts and ideas. So that it seems on the other side mentioning their rights can be the guarentee of protecting theirs more. The philosophy of majory and minority is democracy and good governance by the acceptance of the majority of elitism or the most eminent. Also society with different ideas has synthesis. Thesis, anti thesis causing synthesis. Society with one hand can not clap loudly.</i></p>
<p>11.23. Professor Dr. Adrienne Stone - Australia</p>	<p><i>Bkz answer 5</i></p>
<p>11.24. Professor Dr. Mark Tushnet - USA</p>	
<p>11.25. Professor em. Dr. iur Reinhard Mußnug - Germany</p>	<p><i>I think each nation has to solve its minority-questions in its own responsibility and I also think that Germany has done this satisfyingly. Nevertheless international law has to care for a</i></p>

	<i>worldwide protection of each minority against prosecution, deprivation of rights and self-fulfillment and extermination.</i>
11.26. Professor Dr. Mabid Ali Mohammed Al-Jarhi - Egypt	<i>Proper application of Shari'ah, especially in the political side would guarantee minorities rights and protect them from oppression by the majority. However, Egyptian Christians do not trust the application of Shari'ah or at best misunderstand it. Nubians, being predominantly Muslims, still have problems enjoying their rights as the totalitarian government does not yield to their rights.</i>
11.27. Assoc. Professor Dr. Patrick Emerton - Australia	<p><i>The international legal concept of minority rights does not have a significant degree of applicability to Australia – issues of religion, culture and language are generally analysed through a non-discrimination lens rather than a minority rights lens.</i></p> <p><i>The concept of Indigenous rights does have a high degree of applicability, however. There is some disagreement among Indigenous persons (eg on whether the better path is to seek treaties, or to seek constitutional recognition and status) but the larger disagreements are among non-indigenous political actors – there is no consensus there on whether Indigenous peoples should be recognise and accorded rights in the manner envisaged by international law, or should in legal terms at least be treated the same as other Australians.</i></p>
11.28. Professor Dr. Hajer Gueldich - Tunis	
11.29. Asst. Professor Narender Nagarwal - India	<i>Ans: In my view, minority communities across the world, must be protected under the umbrella protection of United Nations. The Member State should not take any shield to avoid action in the name of "internal affairs of our domestic jurisdiction" if there is mass crime against minorities. The UN's Security Council is fully empowered to intervene if there is tangible evidence of mass crime, genocide, communal massacre and other forms of violence against certain religious or ethnic communities. UN must have some specific mechanism to intervene if some vulnerable group or ethnic community being victimized unnecessarily by the Member State through its owned instruments. Under International law, The UN Sub Commission on Prevention of Discrimination and</i>

Protection of Minorities has defined 'minority' as follow: "The minority includes only those non document groups in a population which possess and wish to preserve stable ethnic, religious or linguistic tradition or characteristic markedly different from those of the rest of the population; such minorities should properly include a number of persons sufficient by themselves to preserve such tradition or characteristic and such minorities must be loyal to the State of which they are nationals." Article 27 of the ICCPR, 1966 does not define the expression but gives the following right to them as "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their religion or to use their language"

Yes, they cover the reality of the problem of the religious minorities in India as the "International Religious Freedom Report" of the U.S. Department of State released in August 2016 notes occurrences of "religiously motivated killings, assaults, riots, coerced religious conversions, actions restricting the right of individuals to change religious beliefs, discrimination and vandalism. Incidents (targeting Christians) included assaults on missionaries, forced conversions, and attacks on churches, schools, and private property. Attacks by Hindus on Muslims were due to alleged cow slaughter and their traditional livelihoods selling beef". The U.S. Commission on International Religious Freedom (USCIRF) noted in a report titled "Constitutional and Legal Challenges Faced by Religious Minorities in India" that "religious freedom violations" had increased and "religious tolerance" had decreased in India. Indian authorities have used "repressive laws to curb freedom of expression and silence critics," a report from Amnesty International says, "Human rights defenders and organizations continued to face harassment and intimidation". It said that Dalits and Adivasis face "widespread abuses" with official statistics from August 2016 showing that more than 45,000 crimes committed against the Scheduled Castes (Dalits) and almost 11,000 against the Scheduled Tribes. The situation in conflict-ridden regions such as Jammu & Kashmir and Chhattisgarh states have worsened. In August 2016, UN High Commissioner for Human Rights Zeid Ra'ad al-Husseini regretted that India had refused a fact-finding mission

	<p><i>from his office access to Kashmir, where security forces are accused of gross human rights abuses.</i></p> <p><i>I firmly believe that we need to work towards establishing just and equal society as enshrined in our constitution. If we go on fighting each other in the name of religion, caste, language, creed and race we shall never be able to begin our march for establishing such a society. Today, all communities Hindu, Muslims, Sikhs, Christian and Buddhists-have to wage a concerted struggle for social justice and equalitarianism. They have to make a reality of the society envisioned in our Constitution.</i></p>
<p>11.30. Professor Gerd Oberleitner - Austria</p>	<p><i>The rights of the Croatian and Slovenian ethnic groups are set forth in the State Treaty of Vienna (1955) and demonstrate that international law guides national minority protection.</i></p>
<p>11.31. Professor Dr. Adnan Oweida - Jordan</p>	<p><i>The West often exploits this gap in the Middle East, where the political boundaries based on the Sykes-Picot Agreement, where these political boundaries have broken apart families and dispersed among more than one country, are the cause of the emergence of ethnic minorities in my country.</i></p> <p><i>Western countries are exploiting the minority gap in my country to strengthen division and divergence. At the same time, my Government is violating the rights of minorities and exploiting them for political interests.</i></p>
<p>11.32. Dr. Andres Cervantes Valarezo - Ecuador</p>	<p><i>No answer recorded.</i></p>
<p>11.33. Asst. Professor Dr. Manal Totry-Jubran - Israel</p>	<p><i>I guess they provide basic protection of manly acknowledging the existing of the right. However, each country should find the balance appropriate for it and its social, economic, demographic, geographic reality.</i></p>
<p>11.34. Dr. Maria Paula Garat - Uruguay</p>	<p><i>The development of International Human Rights Law was very important not only in international level, but also in national levels. For instance, the work done by Interamerican Court of Human Rights was very important in order to introduce and increase the human rights protection standards. I think the regulation of human rights, the protection –also protection to</i></p>

	<i>minorities- has being increasing, and the international law is very important for that.</i>
11.35. Professor Luis G. Francheschi - Kenya	<i>The concept of minority rights in international law is of significant importance to the Kenyan context. It is generally accepted that there is no agreed upon definition as to which groups constitute a minority. This is treated as a question of fact derived through objective (shared language, culture, etc.) and subjective indicators (external and self-identification) of the constitution of a group. However, the recognition of minorities in international law is quintessential for access to justice both on the national, regional and international level. This recognition allows minorities to agitate for their rights and seek recourse where a violation has occurred. One example in Kenya was the Ndooris-Ogiek case, an ethnic minority group which was displaced from their lands around Lake Bogoria. This community took the matter to the African Commission of Human and Peoples' Rights and eventually to the Africa Court and obtained an order against the Government of Kenya for relocation.</i>
11.36. Professor Hugh Corder - South Africa	<i>I HAVE IN EFFECT ANSWERED THIESE QUESTIONS ABOVE. WHILE IT MAY BE APPROPRIATE AND JUST TO USE THE CONCEPT OF 'MINORITIES' IN OTHER COUNTRIES, IT WON'T BE ACCEPATBEL POLITICALLY IN SOUTH AFRICA, GIVEN THE PAST EXPERIENCE.</i>
11.37. Asst. Professor Umar Rashid - Pakistan	<i>Ans) International conception of minority rights can only be a single prong in the strategy to provide protection to minorities. To provide adequate protection to minorities, in addition to promulgating international law principles into local law, what is required is the need to educate people and try to change their attitude towards minority rights. This would require a concentrated effort to change the social and political landscape to create an awareness about the need and importance of minority rights.</i>
11.38. Assist. Professor Simon Alexander Wood - Malaysia	<i>the notion of minority rights in international law is not a clear response to the minorities in Malaysia. Racial tensions have predominantly been focused around protecting rights of the majority malays. Unfortunately they have suffered poverty and poor economic rights as much as any other group</i>
11.39. Professor Merris Amos-UK	<i>The professor has chosen not to publish her answers.</i>

<p>11.40. Ştefan Bogrea - PhD student at human rights law / Advocate - Romania</p>	<p><i>I consider that the national standards for protecting minorities in Romania to be at least equivalent to the most important international and European regulations. Consequently, I think that our national legislation is better suited to cover the realities in our country.</i></p>
<p>11.41. Asst. Professor Dr. Cristina Tomulet - Romania</p>	<p><i>Given the fact that I am not a specialist in international law, as I research and teach only constitutional and ECHR law, I will omit to answer this question.</i></p>
<p>11.42. Professor Dr. Mahendra P. Singh - India</p>	<p><i>An inquiry into the early legal documents was evident that international law protected minorities with the principles of equality and non-discrimination. Article 27 of the International Covenant on Civil and Political Rights was the starting point in the International Law which extended the right of minorities to enjoy their own culture, to profess and practise their own religion, or to use their own language. But only after the United Nations Minorities Declaration, 1992 there was an emphasis on the constant promotion and realization of rights of minorities within a democratic framework. But one of the ambiguities that the concept of minority rights is facing today is its lack of definition in the international law which keeps open varied interpretations of minority and which allows the international organizations to absolve their responsibility of observing minority rights and freedoms.</i></p> <p><i>The international treaties set norms in framing laws to fill gaps in matters where there is legal vacuum in the Indian Legal System. The Constitution under Article 51 mandates respect for international law and Article 253 confers exclusive power on the Parliament to make law to give effect to international agreements. In this respect, the Indian judiciary has played a proactive role in the implementation of India's international obligations under international treaties especially, in the areas of environmental law and human rights. So it can be said that India's legal framework and position in the international community have been strengthened by the application of international law and international principles.</i></p>
<p>11.43.</p>	<p><i>S.W.: I think minority rights is a very delicate question because it depends on a lot of national peculiarities such as the historical, linguistic and religious contexts, the social realities, etc. In that</i></p>

Professor Dr. Stephanie Wattier - Belgium	<i>sense, international regulation must stay flexible to be adapted to the national context.</i>
11.44. Dr. Malika Tastanova M. Narikyev - Kazakhstan	<i>The professor has chosen not to publish her answers.</i>
11.45. Professor Dr. Jasna Baksic - Bosnia and Herzegovina	<i>BiH ima značajno priznanje manjinskih prava u svom pravnom sistemu ali ne I uslove za uživanje I zaštitu manjinskih prava. Ako uzmemo Rome za ilustraciju BiH je oformila državno tijelo Vijeće za Rome, Strategiju BiH za rješavanje problema Roma ali suštinsku položaj Roma u društvu nije značajno unaprijeđen. Preovladavajući negativni stereotipi, uskraćivanje finansijskih sredstava za realizaciju programa nisu značajno poboljšali položaj Roma u BH društvu. Ovo je I državna perspektiva I percepcija romske populacije.</i>
11.46. Assist. Professor Dr. Iwona Wroblewska - Poland	
11.47. Professor Kwadwo Appiagyei-Atua - Ghana	<i>The recognition of minority rights in international law is a very pertinent and relevant issue. I believe that the current regime of international regulations/treatments could serve as an effective response to the reality and problems of minority rights in Ghana? The International Committee on Elimination of Racial Discrimination (ICERD) has applied the Convention on the Elimination of Racial Discrimination to question Ghana's commitment to promoting the rights of minorities from the Northern part of Ghana as noted above.</i>
11.48. Paidamwoyo Mukumbiri - Zimbabwe	<i>I think the concept of minority rights is not fully developed. There is no international consensus on what constitutes minority rights. Further there is no binding human rights treaty for minority rights.</i>
11.49. Professor Dr. Helen Irving - Australia	<i>Minorities must be protected against discrimination that they experience on the ground of their minority status. This protection needs to be offered both internationally and domestically. But not all minorities have or need a claim to special rights. The distinction is very difficult to draw, and the question about the balance between minority and majority rights is extremely complex. The disadvantaged position of the Aboriginal and Torres Strait Islander peoples in Australia is well understood in a generalized sense from</i>

	<i>the perspective of international human rights law, but the specific means of addressing this discrimination involves detailed practical measures that international law cannot provide.</i>
11.50. Dr. Faridah Jalil - Malaysia	<p><i>A wise concept. It does response to the reality and problems of our peoples.</i></p> <p><i>In other words, do they cover the reality in your country from the view of the state and the view of peoples?</i></p> <p><i>It does. However, this is correct from a very general perspective only. More effort is required to situate the concept at the national level.</i></p>
11.51. Dr. Tatiana Khramova - Russia	<i>International instruments in Russia only work to the extent that the legislator, the law enforcement bodies and the courts are willing to implement them. Sometimes the national authorities align their position with international instruments, other times they disregard the high international standards, dwelling on the concept of Russia's unique "constitutional identity".</i>
11.52. Eduardo G. Esteva Gallicchio - Uruguay	<p><i>The notion and concept of minority rights in International Law (Declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities of 1992) can be complemented, improved and updated, after a quarter of a century has elapsed.</i></p> <p><i>In the case of my country and by virtue of its peculiarities I do not consider it indispensable, because this is reasonably achieved by interpretation and application of the provisions of Uruguayan law and international treaties and conventions.</i></p> <p><i>I believe that the reality of the Uruguayan State and its inhabitants are covered by existing concepts and their progressive interpretation. However, in the light of other situations, it may be considered prudent for International Law to be updated.</i></p>
11.53. Dr. Aldana Rohr - Argentina	
11.54. Roman Schuppli - Switzerland	<i>The contemporary notion of minority rights in international law, as enshrined in Art. 27 ICCPR or Art. 14 ECHR, operates on the basis of individual rights protection. This is in contrast to historical examples as the League of Nation's minority protection system, which existed in the beginning of the 20th century. As already</i>

	<p><i>mentioned (conf. question 10), the Swiss Confederation's minority protection system does not operate with any notion of minorities, but rather with individualistic rights. Community-related concerns are not considered justiciable by the constitutional legislator; corresponding objectives are defined as state tasks to be realised by law and not as individual rights (cf. Art. 73 and 74 of the Federal Constitution). They can, however, be asserted by the state as public interests within the meaning of Art. 36 para. 2 of the Federal Constitution and thus, under certain circumstances, rebind fundamental rights interests. Overall, this Swiss approach of protection appears to be differentiated and effective, as it provides for a basis for the consideration of a wide range of interests and their balancing.</i></p> <p><i>(Partly excerpt from KIENER REGINA, Grundrechte in der Bundesverfassung, in: Verfassungsrecht der Schweiz, 2. Ed., forthcoming)</i></p>
<p>11.55. Dr. Ljubomir Frckoski – Macedonia</p>	<p><i>Kitabını göndermiştir.</i></p>
<p>11.56. Assoc. Professor Juan Pablo Beca F. - Chile</p>	<p><i>Minority rights protect minority groups (ethnic, religious, sexual, etc.) and also individuals belonging to these groups. They does not give these people special rights, but it has been demonstrated that general human rights instruments are not enough to protect them. International regulations can indeed be a response for their problems.</i></p>
<p>11.57. Professor Simon Rice - Australia</p>	<p><i>The question of minority rights in Australia – in the way the term is used in international law – is principally a question of the rights of indigenous peoples. International human rights activity in the area of indigenous rights is of limited relevance in Australia; as I described above, Australia has given little explicit effect to its human rights treaty obligations, and those treaty obligations are a rhetorical tool for non-government human rights advocates.</i></p>
<p>11.58. Dr. Renata Bedö - Hungary</p>	
<p>11.59. Damir Banović - Bosnia and Herzegovina</p>	<p><i>International and European minority rights regulations are quite good for the Bosnian political and constitutional system. Nevertheless, they should be understood as principles and standards which interact with the specific Bosnian context achieving the best possible solutions.</i></p>

<p>12.60. Dr. Lilla Berkes, PhD candidate) - Hungary</p>	<p><i>The legal solutions we have for minority issues are much more comprehensive than the ones in the international law which tend to have a very limited efficiency. The national minorities in Hungary are mostly assimilated, so on the one hand we don't have tensions based on limitation of their rights and opportunities. The act on the rights of national minorities provides a wide range of individual and group rights for them and also, the procedural laws also guarantee the use of their own language for them. There are nationality schools, their parliamentary representation is ensured, they can have their own self-government, too. On the other hand, the Roma minority is very much disadvantaged economically and also can be subject of discrimination and segregation which is hard to solve by legal means, be it national or international. The international law can provide some kind of answer for the problems of minorities but these differ in every state so other than some minimum standards real dialogue is needed between the majority and minority and the international mechanisms could provide a framework for that.</i></p>
<p>11.61. Professor Dr. iur. Jorge León - Peru</p>	<p><i>La noción sobre el concepto de los derechos de las minorías en el derecho internacional se encuentra estrechamente vinculado a lo que establece el ordenamiento jurídico peruano. Sin embargo, considero que hay mecanismos de orden internacional que pueden suponer una respuesta efectiva frente la desprotección en la que se encuentran las minorías. Por ejemplo, sería sumamente pertinente incluir las alertas tempranas recomendadas por el Comité para la Eliminación de la Discriminación racial, podría habilitarse mucho más la participación política de las minorías o incluir un enfoque interseccional que ha sido plenamente reconocido en el Sistema Interamericano de Derechos Humanos. Considero que más que una cuestión estrictamente conceptual o de noción del derecho de las minorías lo que hace falta principalmente en el Perú son políticas públicas con metas claras como recientemente ha realizado el Ministerio de Justicia y Derechos Humanos del Perú¹.</i></p>
<p>11.62. Professor Thierry Rambaud – France</p>	<p><i>An article was sent by the Professor.</i></p>

¹ http://spij.minjus.gob.pe/content/banner_secundario/img/muestra/PLAN-ANUAL.pdf

<p>11.63. Mario Campora - Melisa Szlajen - Argentina</p>	<p><i>I am always optimistic with international law. I know that the international system has a lot of defects but I think it is always better that it exist that it does not. It is important to evaluate and criticize the system to continue building it but if we destroy it we will not have the necessary tools to protect people of the violations of their human rights.</i></p> <p><i>Like I said some answers before, sometimes internationals or regional systems are very slow and appear too late and of course they appear always after the violation occur, but they are important to give people the security that they are not leave in the hand of their states that in most cases are the ones the violate human rights.</i></p> <p><i>In the other hand, reparations allow the states not only to repair the victims, also to make changes that prevent human rights violations in the future and finally this kind of actions go with another that help to make visible violations.</i></p> <p><i>In Argentina internationals and regional systems showed what was happening during the last civil and military dictatorship. Recently they show the importance to legislate abortion and to protect immigrants. Whith this kind of statements and international standards we have more tools to fight for protect our human rights and if it is necessary we will appeal to these international systems.</i></p>
<p>11.64. Dr. Alaa Nafea Kttafah - Iraq</p>	<p>ج/ نعم ان احسن تطبيقها او وجدت ارادة صادقة لتطبيقها .</p>
<p>11.65. Professor Silvina Ramirez - Argentina</p>	<p><i>Otra vez, y de acuerdo a la respuesta anterior, considero que la recepción normativa de ciertos derechos –especialmente aquellos dirigidos a personas en especial situación de vulnerabilidad- es relevante en el proceso de lucha por los derechos. En cuanto a la noción de minoría, tiene las mismas desventajas que las mencionadas en el ámbito local.</i></p>
<p>11.66. Agnieszka Bień- Kacała - Poland</p>	<p><i>The professor has chosen not to publish her answers</i></p>
<p>11.67. Professor Dr. Claire Breen - Australia</p>	
<p>11.68. Marwan Al- Moders - Bahrain</p>	<p><i>The Professor has send articles.</i></p>
<p>11.69. Dhia Al Uyun - Indonesia</p>	<p><i>Konsep hak minoritas internasional menguntungkan bagi sebagian orang. Tidak mewujudkan keadilan karena hanya membantu masyarakat tertentu, bukan setiap orang. Gerakan</i></p>

hak asasi manusia cenderung diam ketika korban-korban bukan kelompok yang sewajarnya.

Hukum internasional membantu sebagai sumber hukum, namun hal ini terbatas pada penafsiran hukum, bagaimanapun legalitas aturan dibutuhkan untuk kemudahan implementasi di pemerintahan daerah ataupun dilaksanakan penegak hukum.

Pandangan bernegara ini tentang instrument hak asasi manusia belum merata, sehingga hal-hal yang actual secara internasional belum tentu dibutuhkan masyarakat dalam negara Indonesia. Misalnya tentang kesetaraan gender.