

Invisible Behind Borders: The Limits of International Justice in Addressing Minority Oppression within Sovereign States

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GLOBAL HUMAN RIGHTS DEFENCE

INTRODUCTION

International justice refers to a body of legal norms, institutions and processes developed to uphold fundamental human rights, prevent impunity and enforce accountability for gross violations of international law, particularly during armed conflict or periods of systemic repression. Emerging robustly after the horrors of World War II and the Holocaust, international justice found institutional expression in the Nuremberg and Tokyo Trials and more recently, through the establishment of permanent and ad hoc tribunals such as the International Criminal Court (ICC), International Court of Justice (ICJ), the tribunals for the former Yugoslavia (ICTY) and Rwanda (ICTR) and various hybrid courts. These structures are tasked with adjudicating war crimes, crimes against humanity, genocide and other serious breaches of international humanitarian law (Schabas, 2017). At the heart of this legal framework is the commitment to uphold universal human rights irrespective of geography, culture or regime type. However, a significant area of contestation remains: the application and accessibility of justice for minority groups within sovereign states. These groups, often defined by ethnic, linguistic, religious or caste identities, frequently experience systemic discrimination, exclusion from political processes, economic marginalisation, and even targeted violence (UN OHCHR, 2010). The term "minority" is contextually fluid but generally denotes groups with non-dominant status who seek to preserve their unique cultural identity while enjoying equal rights and protections (Capotorti, 1979).

In principle, international justice promises to serve as a safety net when domestic legal systems fail or are complicit in the oppression of minorities. Documents such as the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966) and the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992) assert a universal commitment to equality and non-discrimination. Additionally, the doctrine of Responsibility to Protect (R2P), endorsed by all member states of the United Nations at the 2005 World Summit, posits that sovereignty is not a licence for impunity but entails a responsibility to safeguard populations from genocide, war crimes, ethnic cleansing and crimes against humanity (United Nations, 2005). These international instruments, however, are only as effective as their enforcement mechanisms. Despite rhetorical support, the practical ability to intervene and protect minorities has proven inconsistent, delayed or absent in many critical contexts. A central tension lies in the sovereignty justice dilemma. While international law claims jurisdiction in cases of mass atrocity, state sovereignty remains a foundational principle of the international system. As enshrined in the UN Charter (Article 2.7), the United Nations is prohibited from intervening in matters that are “essentially within the domestic jurisdiction of any state.” This creates a legal and political impasse where international actors must tread cautiously to avoid accusations of neo-imperialism or unwarranted interference, even in the

face of egregious human rights violations (Chesterman, 2001). Furthermore, selective enforcement exacerbates the credibility crisis facing international justice. The ICC, for instance, has been criticised for disproportionately targeting African leaders while ignoring powerful states' transgressions (Mills, 2012). Political considerations, strategic alliances and the veto power of the UN Security Council often dictate whether or not justice mechanisms are activated. This has created a system where some minorities are visible and protected, while others remain obscured by geopolitics and state interests. Minorities, whether the Dalits in India, the Uyghurs in China, the Batwa in the DRC or the Tigrayans in Ethiopia have frequently found themselves caught in the blind spots of both domestic legal systems and international justice mechanisms. Their struggles are rendered invisible by a combination of internal suppression and international inaction. The failure to protect minorities is not merely a legal shortcoming but a profound moral and political failure of the international community. Many such groups experience structural violence that precedes overt physical violence and often continues even after international attention has waned.

Moreover, minority voices are often absent from international platforms, leading to skewed representations of conflict, victimhood and justice. In many cases, justice for minorities remains reactive rather than preventative, with interventions occurring only after atrocities have been widely publicised by which point countless lives may have been lost or irreversibly damaged (Mutua, 2001). This topic is especially significant at a time when international norms are under threat from the resurgence of authoritarian nationalism, geopolitical rivalry and institutional fatigue. Even as the international community commemorates treaties and declarations, thousands of minorities live in fear and silence, questioning the tangible meaning of 'never again'. By critically examining how international justice interacts with state sovereignty and geopolitical power, this research highlights the urgent need for reform, inclusion and greater accountability. Despite its aspirational vision and institutional developments, international justice remains constrained by the very structure of the international order one that privileges state sovereignty and strategic interests over consistent moral principles. As such, the capacity of international justice to protect oppressed minorities within sovereign states is not only limited but often fundamentally compromised. This article argues that the selective application of justice, the lack of enforceable legal pathways and the marginalisation of minority voices together contribute to a system that frequently fails the very communities it was designed to protect.

1. THE INTERNATIONAL JUSTICE FRAMEWORK

1.1 INSTITUTIONS

1.1.1 The International Criminal Court

The International Criminal Court (ICC) was established under the 1998 Rome Statute to prosecute individuals for genocide, war crimes, and crimes against humanity. As the world's first permanent international criminal tribunal, the ICC represents a landmark in the institutionalization of international justice. However, its jurisdiction is limited to crimes committed on the territory of a state party, by nationals of a state party or via a UN Security Council referral. These jurisdictional constraints exclude major powers such as the United States, China and India, which are not parties to the Rome Statute, thereby shielding their internal affairs, including potential minority rights violations, from the Court's scrutiny. Moreover, the ICC depends on state cooperation for investigations and arrests, which undermines its effectiveness when political will is lacking.

1.1.2 The International Court of Justice

The International Court of Justice, as the principal judicial organ of the UN, adjudicates disputes between states and issues advisory opinions on legal questions referred to it by other UN bodies. While it plays a role in interpreting international law and shaping norms, the ICJ does not have direct jurisdiction over individuals or non-state actors. Its cases require consent from states, and similarly to the ICC, enforcement of its decisions depends on political pressure rather than binding mechanisms. Consequently, the ICJ's utility in addressing minority oppression is largely symbolic, unless a state is willing to bring another state to court, a rare occurrence in cases of internal human rights violations.

1.1.3 The African Court on Human and Peoples' Rights

As a regional mechanism, the African Court (active since 2004) enforces the African Charter on Human and Peoples' Rights. It hears cases referred by the African Commission or by states that have accepted its jurisdiction. The Court complements domestic systems by offering recourse when national courts fail. 54 out of 55 African Union member states have ratified the Charter, which not only guarantees civil and political rights (e.g. free elections, fair trial) but also unique socio-economic and collective rights. The Charter recognizes the rights of peoples to self-determination, economic development, and environmental protection. The framers explicitly foresaw situations where domestic courts might be unwilling to hear power abuses, and thus the African Court is empowered to provide redress after domestic remedies are exhausted. When the Court was created, human rights groups hailed it as a "positive step towards an effective African human rights system" (Minority Rights Group International, 2004). In practice, the African Court's reach remains limited (only about half the Union's members allow individual access), and enforcement of its judgments relies on

states' compliance. Still, it stands as a crucial regional channel for justice when global bodies stall.

1.2 LEGAL INSTRUMENTS

1.2.1 The Universal Declaration of Human Rights (UDHR)

Adopted in 1948, the Universal Declaration of Human Rights outlines fundamental human rights that are universally protected. While it is not legally binding, it has inspired a vast body of international treaties, regional human rights instruments, and national legislation. It was envisioned as a “common standard of achievement for all peoples and all nations”, but has often been criticized as a Western construction and imposition. Nevertheless, its promise of equal and inalienable rights for all human beings without distinction has inspired evolving norms, including the right to life and the freedom of thought and religion. However, the UDHR does not explicitly mention minority groups, and its general language allows states to interpret its clauses selectively. This presents a challenge in the face of rising nationalist and populist movements that normalize fear of the “other” to justify hatred and the infringement of rights. The increase in racism and discrimination, along with assaults on the freedoms of expression, assembly, association, and religion, pose a serious threat to the universality of human rights. Evidently, it is minorities and indigenous peoples who are at the front lines of rising persecution and violence.

1.2.2 The Genocide Convention

The Genocide Convention is a legally binding treaty obliging states to prevent and punish acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial, or religious group. While it provides a strong legal basis for international intervention, proving genocidal intent is a significant hurdle. This high evidentiary threshold often delays responses, and political considerations influence which situations are formally recognized as genocide.

2. STRUCTURAL AND POLITICAL BARRIERS TO MINORITY PROTECTION

Despite the existence of a theoretically elaborate international justice framework, the protection of minority groups within sovereign states remains deeply constrained. Structural barriers, rooted in the very architecture of international law and global politics, dampen or undermine efforts to redress and prevent the oppression of marginalized communities.

2.1 SOVEREIGNTY vs INTERVENTION

The principle of state sovereignty can clash with international efforts to protect minority rights, especially when such efforts are perceived as infringing upon a state's internal affairs. Humanitarian intervention, conceptually aimed at preventing gross human rights violations, is frequently contested due to its potential to undermine sovereignty. For instance, the NATO

intervention in Kosovo in 1999, which was conducted without Security Council authorization, sparked debates about the legality and legitimacy of such actions (Macleod, 2002). Critics argue that unilateral intervention can set dangerous precedents, allowing powerful states to justify interference under the guise of humanitarianism (Chomsky, 1999). Conversely, proponents of the Responsibility to Protect (R2P) doctrine contend that sovereignty entails responsibility, and when a state fails to protect its populations from mass atrocities, the international community has a duty to intervene (Evans & Sahnoun, 2002). However, the inconsistent application of R2P, as seen in the differing international responses to crises in Libya and Syria, raises concerns about selectivity and geopolitical interests influencing intervention decisions (Bellamy, 2015).

2.2 MULTIPOLARITY AND SELECTIVITY

International justice mechanisms are not immune to the influence of global power dynamics. Powerful states often wield significant sway over international institutions, shaping agendas and outcomes to align with their interests. For example, the United States' inconsistent relationship with the ICC and the Trump administration's recent sanctions on the Court illustrate how major powers can challenge international justice frameworks when they perceive them as threats to their sovereignty or strategic interests (Scheffer, 2002). Moreover, the composition of the UN Security Council, with its five permanent members holding veto power, often leads to paralysis in addressing human rights violations. The Syrian conflict exemplifies this, with repeated vetoes by Russia and China blocking resolutions aimed at holding the Assad regime accountable for atrocities against minority populations (Lynch, 2017).

These power imbalances contribute to a biased international justice system and undermine the legitimacy of global institutions. Additionally, media coverage, advocacy networks, and diaspora activism play critical roles in determining which minority groups gain international visibility. For instance, the plight of the Rohingya gained global recognition after years of persecution and mass displacement. Other crises still, such as those faced by the Batwa in Central Africa or the Nubians in Kenya, remain systemically excluded with minimal international response. This inconsistency is symptomatic of deeper disparities in the international system, where visibility is often linked to media interests and access to elite networks.

2.3 LACK OF ENFORCEMENT AND COMPLIANCE MECHANISMS

A significant limitation of international justice is the absence of robust enforcement mechanisms. As previously emphasized, international courts and tribunals often depend on state cooperation during their proceedings, which is not always forthcoming. The ICC, for example, relies on its member states to execute arrest warrants and surrender indicted individuals. This reliance has resulted in high-profile failures, where individuals with outstanding warrants have traveled internationally without consequence (Bosco, 2014). Notably, Russian President Vladimir Putin visited Mongolia without consequence. Similarly,

when Israeli Prime Minister Benjamin Netanyahu visited Hungary in, not only did the Hungarian government decline to act on the ICC's directive, but it also announced its intention to withdraw from the Court during his visit. This illustrates the fragility of enforcement in politically charged contexts. Similarly, Israeli Prime Minister Benjamin Netanyahu visited Hungary, not only did the country not comply with the ICC order it received, but it also announced its decision to withdraw from the Court during Netanyahu's visit. Furthermore, compliance with international rulings, even if they carry legal obligations, is often based on political will. The ICJ can issue binding judgments in contentious cases, but it remains up to states to comply with the orders. The only enforcement mechanism available to the ICJ is referring its cases to the Security Council but In cases where compliance is lacking, there are limited avenues for recourse, especially when the non-compliant state is a powerful actor (Posner & Yoo, 2005).

This lack of enforcement capacity undermines the deterrent effect of international justice and emboldens perpetrators, particularly when they calculate that political alliances or strategic importance will shield them from consequences.

3. CASE STUDIES : THE INVISIBLE WITHIN BORDERS

The limits of international justice are perhaps most vividly exposed in the lived realities of minority groups across different regions of the Global South. From Asia to Africa, the disparity between codified international norms and on-the-ground realities reveals a pattern of systematic neglect, where legal frameworks fail to translate into meaningful protections. This section explores selected case studies that reflect the complex interplay between sovereignty, international inertia and the invisibility of oppressed minorities.

3.1 SOUTH AND EAST ASIA

Dalits in India

Despite India's constitutional guarantees of equality and affirmative action for Scheduled Castes, Dalits historically known as "untouchables" continue to experience structural and physical violence at the hands of dominant caste groups. While caste-based discrimination is outlawed, enforcement remains weak, especially in rural areas where impunity thrives¹. Reports of rape, lynching, land dispossession and social boycotts frequently emerge, yet rarely trigger international responses. India, although a signatory to multiple human rights conventions, is not a party to key instruments like the Convention against Torture. Moreover, the Indian government has consistently resisted international scrutiny, framing caste as an "internal matter"². International institutions have largely acquiesced, avoiding direct

¹ Human Rights Watch. (2007). Hidden Apartheid: Caste Discrimination against India's "Untouchables". <https://www.hrw.org/report/2007/02/12/hidden-apartheid/caste-discrimination-against-indias-untouchables>

² Thorat, S., & Newman, K. S. (2012). Blocked by Caste: Economic Discrimination in Modern India. Oxford University Press.

engagement with the caste question, despite appeals from civil society and Dalit advocacy groups.

Uyghurs in China

The Uyghur Muslim minority in China's Xinjiang region faces one of the most documented instances of contemporary ethnic and religious oppression. Reports by the UN and human rights organisations indicate widespread internment in re-education camps, surveillance, forced sterilisation and destruction of cultural and religious heritage (Zenz, 2020). While some states have condemned these abuses as genocide, international legal action has been limited. China's global economic influence and permanent seat on the UN Security Council provide it with de facto immunity from coercive accountability. The ICC cannot proceed with investigations because China is not a party to the Rome Statute, and referral by the Security Council is politically impossible given China's veto power³. This illustrates how geopolitical influence can override the moral imperatives of international justice.

3.2 AFRICA

The Nubians in Kenya

The Nubians of Kenya are a marginalised ethnic minority originally brought to East Africa as Sudanese soldiers under British colonial rule. Despite residing in Kenya for over a century, many Nubians were long denied citizenship and land rights. While recent legal victories such as a 2016 African Commission ruling have affirmed their status, implementation remains sluggish and the community continues to live in informal settlements without infrastructure or state services⁴. This case demonstrates that even when legal redress is achieved, enforcement mechanisms at both the domestic and regional levels are inadequate. The African Court on Human and Peoples' Rights, though a vital institution, lacks binding authority unless states have made specific declarations accepting its jurisdiction, which Kenya has not done.

The Batwa in Central Africa (Uganda, Rwanda, DRC)

The Batwa, an indigenous, forest-dwelling people of the Great Lakes region, have faced centuries of marginalisation, especially following forced evictions from ancestral lands for conservation purposes. In Uganda and Rwanda, national parks were established on Batwa land without consultation or compensation, violating both international indigenous rights standards and domestic obligations⁵. Although the African Commission on Human and

³ Zenz, A. (2020). Sterilizations, IUDs, and Mandatory Birth Control: The CCP's Campaign to Suppress Uyghur Birthrates in Xinjiang. The Jamestown Foundation.

⁴ Open Society Foundations. (2017). Kenya's Nubian Minority Pushes Forward for Equal Treatment

⁵ Survival International. (2017). Uganda: Batwa "Pygmy" faces prison in the name of conservation.

Peoples' Rights ruled in favour of the Batwa in 2016, calling for restitution and reparations, compliance has been partial. The Batwa remain among the most impoverished and landless communities in the region, suffering from socio-economic exclusion and a lack of political voice ⁶.

The Herero and Nama in Namibia

Between 1904 and 1908, German colonial forces carried out what is widely recognised as the first genocide of the 20th century, targeting the Herero and Nama peoples in Namibia. Tens of thousands were killed and survivors were placed in concentration camps. Though Germany officially acknowledged the genocide in 2021 and pledged €1.1 billion in development aid, the Herero and Nama were excluded from negotiations and continue to demand direct reparations and justice through international legal forums⁷.

Their attempt to bring a case before the US Federal Court was dismissed on jurisdictional grounds, reflecting the limits of extraterritorial justice and the barriers minorities face when powerful states are involved. No international court has yet held Germany accountable under international law for these atrocities.

Muslim Minorities in the Central African Republic (CAR)

The CAR has witnessed cyclical violence between Christian anti-Balaka militias and Muslim communities, particularly the Peuhl and Seleka-associated groups. Following the 2013 conflict, UN and humanitarian reports noted ethnic cleansing campaigns targeting Muslim populations, resulting in mass displacement and destruction of mosques ⁸ Despite an ICC investigation and the presence of a UN peacekeeping mission, impunity prevails. Key perpetrators roam freely and displaced Muslims have not been able to return safely to their homes. The ICC's limited capacity, coupled with the CAR's weak legal system and political instability, has left victims without meaningful redress.

Ethnic Tigrayans in Ethiopia

Since 2020, the Ethiopian civil war has disproportionately affected Tigrayan civilians, with reports of war crimes, sexual violence, and the weaponisation of starvation. UN investigations found "reasonable grounds" to believe that all parties to the conflict committed atrocities, but Tigrayans faced particularly severe ethnic profiling and humanitarian

⁶ African Commission on Human and Peoples' Rights. (2009). *Endorois Welfare Council v Kenya*, 276/2003.

⁷ Melber, H. (2024). Colonialism, Genocide and Reparations: The German-Namibian Case, *Development and Change*, International Institute of Social Studies, vol. 55(4), pages 773-799, July.

⁸ Amnesty International. (2014). *Ethnic Cleansing and Sectarian Killings in the Central African Republic*

blockades⁹. The ICC cannot investigate without a Security Council referral, as Ethiopia is not a party to the Rome Statute and geopolitical reluctance, especially from key allies in the African Union has stalled any meaningful international legal process. Again, the structure of the international justice system renders it toothless in the face of state-driven atrocities.

These case studies reveal common patterns of marginalisation: legal recognition without enforcement (Nubians, Batwa), geopolitical immunity from accountability (Uyghurs, Tigrayans), historical injustices with minimal reparative measures (Herero and Nama) and selective international attention (Dalits, Muslims in CAR). Together, they highlight how minority groups often fall through the gaps of an international legal system characterised by inconsistency, lack of enforceability and political bias. Despite the rhetoric of rights and protection, lived realities expose the urgent need for systemic reform and more inclusive, effective justice mechanisms.

4. WHY CERTAIN MINORITIES REMAIN INVISIBLE

Human rights protection has indeed attracted increased attention since the middle of the 20th century. The trend of globalisation and enhanced methods of communication were expected to further enhance the ability of minorities anywhere in the world to protect themselves against human rights violations. However, this report clearly demonstrates that this is not the case.

The invisibility of certain minorities in international justice can be attributed to various reasons. Perhaps one of the most important ones is the media bias. It should be noted that in numerous cases, high media coverage and attention have played a significant role in focusing international society on various violations of minority rights in different parts of the world. Media can indeed play a huge role in human rights advocacy, however, some significant challenges remain and hinder its ability to always play a positive role. There is an inherent possibility of media bias that could significantly hinder the promotion of human rights worldwide. Francisco-Javier Rodrigo-Ginés, Jorge Carrillo-de-Albornoz and Laura Plaza identified various modes of media bias and categorised them into 2 big groups. The first one – bias according to the context includes coverage bias, gatekeeping bias and statement bias; 2nd one – bias according to the author's intention includes spin bias and ideology bias (Rodrigo-Ginés et al., 2024). Even though any of these modes are problematic for good journalism and therefore for any cause, including human rights protection, coverage bias and specifically omission bias is the one that can significantly deter ability of international society to focus attention on minorities in the parts of the world that are less relevant in comparison to the regions that attract big political interest and are generally deemed more newsworthy.

⁹ UN Human Rights Council. (2022). Report of the International Commission of Human Rights Experts on Ethiopia

Even greater problem, though, is on a structural level when it comes to the representation and inclusion of minorities in the decision-making process, both at the national and international levels. A global overview of the representation of minorities and indigenous peoples in parliament in 2010 demonstrated the shortage of data on parliamentary representation of minorities in national parliaments, showing the neglect of the issue by national lawmakers. The research also showed that members of parliaments are mostly unaware of special electoral measures that could empower minorities' participation in politics. The problems can also be identified at the political party recruitment level. UN Forum on Minority Issues has also addressed the problem of political and economic participation of minorities in its compilation of recommendations, highlighting the necessity of effective oversight mechanisms and inclusive policies backed by national action plans, in addition to an improved electoral system that enables fair representation. The recommendations also address the political parties stressing the need for better minority representation in leadership and candidate lists; national human rights institutions underlining the importance of ensuring minority access to all their programs and to civil society highlighting that they should build minority capacities through education, training, and advocacy, while engaging with policymakers to influence legislation (Protsyk, 2010). Furthermore, research by Nazita Lajevardi, Moa Martensson and Kare Vernby showed that the expectation of discrimination is a natural barrier for minority representatives to join the political process as candidates (Lajevardi et al., 2024). These findings hint that the problem of political participation is not just structural but has even deeper roots in society.

The hardships of participation in domestic politics are naturally reflected in the limited representation of minorities in an international context, and thus limited mechanisms for the protection of minority rights.

Under the UN system, the adoption of the Optional Protocol to the International Covenant on Civil and Political Rights in 1966 opened the door for individual complaints for persons belonging to minorities. In Europe, the European Court of Human Rights (ECHR) can be used to protect minority rights. However, these judicial remedies do not provide a channel to formulate political claims at the international level. The review of existing reporting mechanisms by Balázs Vizi in the European context shows that there is a significant gap between effective roles that minorities may play in specific situations and the institutional recognition of their specific needs at an international level (Vizi, 2015).

The challenges of participation of minorities in public life clearly contribute to the problem of the invisibility of minorities in international justice. Even the European system of protection, with its relatively advanced modes of integration and regional mechanisms of human rights protection, lacks opportunities for minorities to access political avenues.

The problem is further exacerbated by the elements of structural discrimination. The structural discrimination can be understood as consisting of 3 core elements: historical (unresolved legacies of slavery, colonialism and systematic exploitation); Societal (Cultural norms, values, and discourses that reinforce racial hierarchies and stigmatisation); Institutional (policies and practices in institutions that systematically disadvantage ethnic and

racial minorities). Structural discrimination is mostly seen not in isolated incidents but in cumulative disadvantages across various areas. The thematic report by the European Commission takes a deep look at this issue on the European level, highlighting the problems of a lack of legal definition and focus; underdeveloped case law, underpowered equality bodies; weakness of policy on national levels; data deficiencies and limited judicial training. The criticism in this regard has also been directed towards the global justice system (Crowley, 2022). Eve Darian-Smith, in her review essay, highlighted some of the main issues that the global legal system faces in this regard. Among many critical points is the exclusion of grassroots and marginalised voices, leading to the invisibility of marginalised experiences in law-making and implementation. The author ascribes this effect to the globalisation process that favours Western legal traditions and is relatively blind to non-Western traditions (Darian-Smith, 2000). Structural discrimination of minorities on regional and global levels is a foundational problem for silencing the issues of minorities. The very nature of structural discrimination makes it hard to recognise and acknowledge one. However, without this, the very basic, structural problem of global society will persist and make it even more difficult to give voice to the minorities around the world.

5. Recommendations

The report highlighted some of the problems of international justice system that silences the minorities and undermines the protection mechanisms for minority rights. Solving this problem requires a multi-level and coordinated approach by various actors. A few recommendations can be taken into account to direct the action in order to address these issues:

- International justice enforcement mechanisms should be strengthened
 - Further empowerment of international courts and seeking alternative enforcement models, such as universal jurisdiction and/or transnational civil litigation
- Minority representation should be enhanced on all levels
 - Relevant international bodies should monitor minority inclusions in national parliaments and other political institutions, including the electoral process
 - International reporting and monitoring efforts for minority issues should be enhanced
- Structural discrimination should be addressed
 - An international framework to systematically identify structural discrimination should be created, with recommendations on how to address it at the national, regional and international levels
- Strengthening regional institutions, like the African Court, should be considered
- Civil society cooperation must be enhanced to ensure better protection and representation of minority issues
 - International networks of civil society organisations should be strengthened to serve as watchdogs and facilitate early warning in case of minority rights violations

CONCLUSION

International justice mechanisms for the protection of human rights have developed significantly since the last century. However, their effectiveness in protecting minority populations and making their voices heard remains limited and often symbolic. This report, along with its case studies and a review of existing academic and policy literature, illustrates how the international justice system is constrained by the primacy of state sovereignty, political selectivity, a lack of enforcement mechanisms, and structural discrimination in the protection of minorities. A consistent pattern throughout the case studies can be noticed - international legal and political tools often fail to give meaningful protection to minority communities suffering from systemic oppression or human rights violations. The problem is further exacerbated by the underrepresentation of minorities in political processes on domestic and international levels, media bias and a lack of international political will to address the invisibility of minorities, leaving many of these groups without an avenue for justice.

The heart of the problem is not just legal absence and a political and institutional unwillingness or constraints. Minority rights are often sidelined when they conflict with geopolitical interests, dominant cultural narratives, state prestige, etc. Therefore, the international justice system, which aspires to be universal, falls short of inclusivity and effectiveness. Structural limitations of international justice should be addressed, and channels for empowering minorities that have been historically excluded must be created for it to remain credible.

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